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SOCIAL, HUMANITARIAN AND HUMAN RIGHTS QUESTIONS: REPORTS OF SUBSIDIARY BODIES, CONFERENCES AND RELATED QUESTIONS: IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION

Report of the Secretary-General

Summary

In its resolution 48/91 of 20 December 1993, the General Assembly proclaimed the Third Decade to Combat Racism and Racial Discrimination, beginning in 1993, and adopted the Programme of Action proposed for the Third Decade.

In paragraph 16 of the resolution, the General Assembly requested the Secretary-General to submit each year to the Economic and Social Council a detailed report on all activities of United Nations bodies and the specialized agencies analysing information received on such activities to combat racism and racial discrimination.

The addendum to the report contains information received by the Centre for Human Rights on the activities undertaken or envisaged by Governments and intergovernmental, regional and non-governmental organizations within the framework of the Third Decade to Combat Racism and Racial Discrimination.

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Introduction

1. In its resolution 49/146 of 23 December 1994, the General Assembly decided to adopt the revised programme of action for the Third Decade to Combat Racism and Racial Discrimination (1993-2003), which is contained in the annex to the above-mentioned resolution. It also invited all Governments, United Nations bodies, the specialized agencies and other intergovernmental organizations, as well as interested non-governmental organizations in consultative status with the Economic and Social Council, to participate fully in the Third Decade to Combat Racism and Racial Discrimination.

2. This report is submitted in accordance with paragraph 16 of General Assembly resolution 49/146, in which the Assembly requested the Secretary-General to submit each year to the Economic and Social Council a detailed report on all activities of United Nations bodies and specialized agencies.

3. In paragraph 18 of the same resolution, the General Assembly

> "Invites all Governments, United Nations bodies, the specialized agencies and other intergovernmental organizations, as well as interested non-governmental organizations in consultative status with the Economic and Social Council, to participate fully in the Third Decade."

4. The present report contains information on the implementation of the Programme of Action by United Nations bodies and specialized agencies; the addendum contains information from Governments, intergovernmental organizations and non-governmental organizations.

I. IMPLEMENTATION OF THE PROGRAMME OF ACTION WITHIN THE UNITED NATIONS SYSTEM

A. Commission on Human Rights

5. At its fifty-first session, the Commission on Human Rights discussed the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination, and declared that all forms of racism and racial discrimination, whether institutionalized or resulting from official doctrines of racial superiority, such as "ethnic cleansing", were among the most serious violations of human rights in the contemporary world and must be combated by all available means. The Commission, by its resolution 1995/11, invited the Secretary-General to do his utmost to establish a focal point within the United Nations Centre for Human Rights responsible for reviewing information concerning activities carried out within the framework of the Third Decade and for making specific recommendations on activities to be undertaken.

6. By the same resolution, the Commission also invited the Secretary-General to take action to coordinate all the programmes currently being carried out by United Nations bodies with a view to achieving the objectives of the Third Decade; to continue to accord special attention to the situation of migrant workers and members of their families and to include regularly in his reports full information on such workers. It requested the Secretary-General to

publish and distribute as soon as possible the model legislation on racism and racial discrimination for the guidance of Governments in the enactment of further legislation against racial discrimination.

7. The Commission invited the United Nations Educational, Scientific and Cultural Organization to expedite the preparation of teaching materials and teaching aids to promote teaching, training and education activities on human rights and against racism and racial discrimination, with particular emphasis on activities at the primary and secondary levels of education.

8. In the same vein the Commission, in paragraph 9 of its decision 1995/104, also recommended, through the Economic and Social Council, that the General Assembly at its fiftieth session consider the possibility of convening a world conference against racism.

9. With respect to contemporary forms of racism, the Commission considered the reports of the Special Rapporteur on this issue. By its resolution 1995/12 of 24 February 1995, the Commission requested its Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to continue to examine, in accordance with his mandate, incidents of contemporary forms of racism, racial discrimination, any form of discrimination against Blacks, Arabs and Muslims, xenophobia, negrophobia, anti-Semitism and related intolerance, as well as governmental measures to overcome them, and to report on these matters to the Commission at its fifty-second session.

10. The Commission also encouraged the Special Rapporteur to present concrete recommendations on specific measures which could be taken at the national, regional and international levels; the Commission regretted that he had encountered difficulties in preparing his report, owing to the lack of necessary resources; and requested the Secretary-General to provide him with all necessary assistance to enable him to submit an interim report to the next session of the General Assembly and a comprehensive report to the next session of the Commission. In addition, it requested the Special Rapporteur to continue his exchange of views with the relevant mechanisms and treaty bodies within the United Nations system in order to further enhance their effectiveness and mutual cooperation. It also requested the Special Rapporteur to make the fullest use of all additional sources of information, including country visits and the evaluation of mass media, and to elicit the responses of Governments with regard to allegations.

11. The Commission requested the Secretary-General to elicit the views of Governments on the possibility of using existing voluntary funds and of establishing a new voluntary fund for the rehabilitation and social reintegration of victims of acts of racism, racial discrimination, xenophobia and related intolerance, and to prepare a report thereon to be submitted to the General Assembly at its fiftieth session for its consideration.

12. With respect to the transition to democracy in South Africa, it is worthwhile underlining that at its last session, the Commission on Human Rights, by its resolution 1995/9, took note of the final report of the Special Rapporteur for monitoring the transition to democracy in South Africa, Ms. Judith Sefi Attah (E/CN.4/1995/24) and expressed its appreciation for

the important role she had played. In the same resolution, the Commission expressed its profound satisfaction at the entry into force of South Africa's new Constitution, the holding of one person/one vote elections, the convening of South Africa's new Parliament and the installation of its President and Government of National Unity. It considered that the mandate of the Special Rapporteur on monitoring the transition to democracy in South Africa had been successfully concluded, and decided to remove the item from its agenda, as of its fifty-second session. The mandate of the ad hoc Working Group of Experts on southern Africa was also terminated in view of the ending of apartheid and laying the foundations for a new non-racial and democratic South Africa.

13. Concerning the implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid, the Commission, by its resolution 1995/10, recognized that the diligent application and monitoring of the Convention by the international community had greatly assisted the dismantling of apartheid in South Africa. It also decided to remove this item from its agenda.

B. Committee on the Elimination of Racial Discrimination

14. The Committee on the Elimination of Racial Discrimination (CERD), established under the terms of the International Convention on the Elimination of All Forms of Racial Discrimination, has the tasks of examining periodic reports submitted by States parties on their implementation of the Convention, consideration of communications from individuals or groups under the terms of article 14 of the Convention, and deliberation on disputes between States parties.

15. At its forty-fifth and forty-sixth sessions, CERD, under its agenda item on the Third Decade, continued preparations for a joint meeting with the Subcommission on Prevention of Discrimination and Protection of Minorities and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, scheduled to take place on 8 August 1995. The primary purpose of this meeting will be to elaborate recommendations concerning appropriately coordinated and comprehensive measures to be taken at the national and international levels to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance. In the preparatory discussions members of CERD have stressed the need for the development of mutually beneficial models for cooperation between the Committee and the Subcommission and for shared reflection on appropriate responses to situations of impending or actual massive violations of human rights which have a racial discrimination component.

16. During its forty-sixth session, CERD met with the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and engaged in a useful exchange of views. Both the Special Rapporteur and members of CERD took the opportunity to clarify the nature of their respective mandates, to offer comments on their activities and to suggest strategies for cooperation. It was agreed that neither the Special Rapporteur nor CERD should act in an isolated manner and that they had much to offer each other in terms of information, mutual support in their exchanges with States parties, and in theoretical reflection on issues of racial discrimination.

17. An important contribution of CERD to the Third Decade is its development of innovatory procedures to address situations of racial discrimination requiring urgent responses and in developing its early warning procedure. Early warning measures are aimed at preventing existing problems from escalating into conflicts and may include confidence-building measures to identify and support structures to strengthen racial tolerance and consolidate peace in order to prevent a relapse into conflict in situations where it has occurred. Urgent procedures are aimed at responding to problems requiring immediate attention to prevent or limit the scale or number of serious violations of the Convention.

18. At its forty-fifth session, CERD considered the situation in five countries under its early warning and urgent procedures agenda item: Federal Republic of Yugoslavia (Serbia and Montenegro), Croatia, Israel, Papua New Guinea, Rwanda. At its forty-sixth session these countries remained on the agenda and were joined by the Russian Federation, the former Yugoslav Republic of Macedonia, Algeria, Mexico and Burundi. With regard to each of these countries, CERD has either requested urgent reports from the Government or taken other appropriate action within its mandate. Countries listed under the agenda item remain for consideration by the Committee until it decides that they should be deleted from the list.

19. The Committee has not yet amended its rules of procedure to reflect its practice under the early warning and urgent procedures agenda item and has instead decided to postpone the formulation of any amendments until its practice is further developed.

20. CERD believes that increased effectiveness in its task of examining the periodic reports submitted by States parties would constitute an important contribution to the Third Decade. It has accordingly continued to develop its procedure whereby, with regard to countries the reports of which are seriously overdue, it proceeds to an examination of the situation in that country based on the last report which has been submitted. It is the experience of the Committee that the bringing of States parties into this review procedure is increasingly resulting in the submission of outstanding reports. Many States, however, have not responded to the concerns of the Committee and, at its forty-seventh session, it will accordingly commence a second round of reviews. In this round the reviews will concern States parties which have not yet submitted outstanding reports following an earlier review.

21. CERD continues to develop further strategies to improve its functioning and effectiveness, such as the drafting of General Recommendations to assist States in fulfilling their reporting obligations, examining State party reports as soon following their submission as possible, dealing speedily with communications submitted under article 14 of the Convention, and increasing the range of information which it takes into consideration in conducting its activities.

C. International Day for the Elimination of Racial Discrimination

22. Trenchant issues were addressed on the International Day for the Elimination of Racial Discrimination, 21 March 1995. The Secretary-General, Dr. Boutros Boutros-Ghali, highlighted in his message that: "The

United Nations offers a medium of communication between cultures, and a resource for Member States to study each other's strategies for accommodating diversity. National Governments can create structures to protect minorities. The media can foster awareness of the common ties of humanity spanning different communities."

23. The Secretary-General emphasized, however, that much remained to be done, the more so as the vast political and technological changes that had occurred around the globe had, while bringing new possibilities for understanding between peoples, brought with them economic and social uncertainty. In that climate, some had sought security in smaller and more exclusive racial and ethnic groupings, leading to social marginalization, suffering and conflict.

24. He considered that, in the year of the fiftieth anniversary of the United Nations, it was important to recognize that racial tolerance was fundamental to achieving the goals of the Charter. It was vital to assuring international security, human rights, the international rule of law and social and economic development. Many elements of society could help to promote tolerance. The United Nations offered a medium of communication between cultures and a resource for Member States to study each other's strategies for accommodating diversity. That could foster awareness of the common ties of humanity that spanned the different racial groups.

25. The message concluded that it was essential for the international community to continue its efforts. With renewed dedication and commitment, it would be possible to create the world of peace and prosperity envisioned in the Charter 50 years previously.

26. In connection with the International Day for the Elimination of Racial Discrimination, the High Commissioner for Human Rights stated in a message that the observances of the day since 1967 had provided opportunities for reaffirming the need to put an end to racial discrimination, segregation and apartheid, and for channelling the forces of enlightened public opinion which are required to reach this goal. In 1993, the international community, through the World Conference on Human Rights, reaffirmed its commitment to eliminate discrimination and called special attention to the need to combat all forms of racism and racial discrimination, xenophobia and related intolerance as a priority task for the international community and the Governments. The World Conference further called for a world-wide promotion campaign against racism, racial discrimination and contemporary forms and manifestations of racism.

27. The High Commissioner underlined that the United Nations had developed a wide range of mechanisms to combat discrimination including the International Convention on the Elimination of All Forms of Racial Discrimination, the new Special Rapporteur on contemporary forms of racism and the Third United Nations Decade to Combat Racism and Racial Discrimination. In addition, 1995 had been declared by the General Assembly the International Year for Tolerance.

28. Promotion and protection of the enjoyment of all human rights by all is a fundamental element of the mandate of the High Commissioner for Human Rights and promotion of equality and combating discrimination are a part of each area

of his activities, from visits to countries, to advisory services and acting to prevent discrimination. Racism and racial discrimination are today responsible for untold large-scale human tragedies and suffering and, in addition, throughout the world the daily lives of millions of human beings are poisoned by racism, racial discrimination and xenophobia.

29. The High Commissioner thus emphasized that effective ways must be sought in order to respond to these tragedies. States which had not done so should ratify the International Convention on the Elimination of All Forms of Racial Discrimination and in each country its provision should be embodied in national law. Human rights education and the creation of a climate of tolerance and understanding among different communities should play a significant role in combating discrimination. In this context, the different cultures which constitute the common heritage of all have an important role to play. Cultural diversity must be perceived as a means of enriching human values and strengthening human rights standards. Sensitivity training in the early school years and the broader-based community action programmes are important tools to achieve this objective.

30. Consideration should also be given, he stated, to setting up community relations commissions not only in areas where tensions have actually emerged but also as a general mechanism in all communities. Such commissions could reinforce existing inter-group understanding and identify at an early stage the seeds of future tension so as to act preventively. The participation of vulnerable groups in the elaboration of national and local plans of action is also crucial as a tangible acknowledgement of their dignity and of the principle of equality. The High Commissioner concluded by stating that the challenge to eliminate racism and racial discrimination is great, but that the dramatic changes in South Africa in the last years gave hope that tolerance and mutual respect can overcome hatred and exclusion.

31. The Secretary-General's message for this special day was communicated at the Round Table at the Palais des Nations organized by the Centre for Human Rights and the United Nations Information Service of the United Nations Office at Geneva.

32. The Assistant Secretary-General for Human Rights deplored the current resurgence of racist ideologies and practices, especially those of a socio-economic nature, amounting to economic apartheid, and insidious forms of racial discrimination, xenophobia and ethnic conflict. Round Table participants and invited guests discussed the theme "National and international mobilization against racism and racial discrimination".

33. The discussion was led by Mr. Ibrahima Fall, Assistant Secretary-General for Human Rights, and the members of the panel were Mr. Ivan Garvalov, Chairman of the Committee on the Elimination of Racial Discrimination, Mr. Andrés Guerrero, Education for Development Officer, UNICEF, and Dr. Deborah Robinson, Executive Secretary of the Programme to Combat Racism of the World Council of Churches.

34. Representatives of the diplomatic corps accredited to the United Nations Office at Geneva and representatives of non-governmental organizations participated in the Round Table.

35. In his introduction, Mr. Fall said that the purpose of the Round Table was to examine the persistence of racism and racial discrimination and to seek ways of cutting off their manifestations. The discussion was taking place at the moment when, despite the disappearance of all institutionalized forms of racial discrimination from the world, the international community was still confronted with a resurgence of racist ideologies and practices, particularly in the economic and social fields; with subtle forms of racism and discrimination that took on the colouring of nationalism or national or continental preference and, lastly, with xenophobia, hatred and ethnic conflicts.

36. Mr. Fall ended his statement by emphasizing that the launching of the Third Decade to Combat Racism and Racial Discrimination demonstrated the will of the international community not to compromise with what must be recognized as one of the major paradoxes of the times, namely, the coexistence of unprecedented global integration with the resurgence of intolerance in all its forms. He, consequently, hoped that, by the end of the Third Decade and on the threshold of the second millennium, article 1 of the Universal Declaration of Human Rights, which stated that "all human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood", would find its full expression in every part of the world.

37. In his presentation on "United Nations action to combat racism and racial discrimination", Mr. Ivan Garvalov gave an account of various aspects of the campaign against apartheid, which had begun in 1946. He cited the two previous Decades to Combat Racism and Racial Discrimination (1973-1983 and 1983-1993), during which the United Nations and its specialized agencies had mobilized the international community against racism and racial discrimination.

38. The Committee on the Elimination of Racial Discrimination (CERD), the body responsible for monitoring the International Convention on the Elimination of All Forms of Racial Discrimination, had played a major role in that strategy by endeavouring to induce the States parties to comply with the provisions of that legal instrument. Thus, some States had amended their Constitutions and adopted laws to repress racial discrimination in the economic, social and cultural fields as well as in the civil and political ones. Educational programmes had also been established to teach the principle of non-discrimination and transform mentalities and behaviour. National machinery had been set up to promote human rights and ensure respect for the rights of ethnic, racial and religious minorities and indigenous peoples. However, despite the progress that had been made, racial discrimination, xenophobia and anti-Semitism persisted.

39. He said that one of the major obstacles which the Committee had encountered in its 25 years of work was the non-application at the national level of some of the provisions of the International Convention to Eliminate All Forms of Racial Discrimination and the non-submission or tardy submission of the periodic reports of the States parties. Also, several States refused to "declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred" and "incitement to racial discrimination" and to "declare illegal and prohibit organizations, and also organized and all other

propaganda activities, which promote and incite racial discrimination ...", as required by article 4 of the Convention. Other States asserted that there was no racial discrimination in their territories, although the facts proved otherwise.

40. Concerning the problem of minorities, he noted that the United Nations had not yet arrived at an internationally accepted definition of the term. Some States awarded collective rights to minorities, including administrative autonomy, and guaranteed those rights in their Constitutions, while others argued that the international instruments on the subject admitted only individual rights. There were also States which favoured assimilation in the name of the uniqueness of the nation, while others rejected it.

41. Mr. Garvalov urged the United Nations to give priority to the promotion and protection of human rights and to face the new challenge of the contemporary forms of racism and racial discrimination. He also proposed closer cooperation between CERD, the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities.

42. Mr. Andrés Guerrero dealt with "education and tolerance as a means to overcome racism and racial discrimination". He described the methods that UNICEF had developed in the framework of its Education for Development programme with a view to changing the perceptions and attitudes of children with respect to those who were different from them, whether they belonged to the North or the South. Those methods enabled children to become aware of their own prejudices and caused them to look for the sources.

43. The programme and the teaching techniques it comprised were based on five concepts, namely, interdependence, images and perceptions, social justice, conflict and change. Understanding each of those concepts brought into play a three-phase learning process based on teaching aids such as photographs, texts and audiovisual materials. The first phase was one of exploration which enabled the child to collect information for analysis and prepare a synthesis on a given subject. The second phase required a personal response by the child to the problems with which he or she was confronted, while the third phase was that of taking action. The whole approach should enable the child to replace erroneous concepts and attitudes by a more correct understanding and more appropriate behaviour, whether in respect of planetary interdependence, images and perceptions of other cultures, social justice, conflict resolution or the individual or social changes to be expected.

44. During the discussion which followed the four presentations, one participant urged the United Nations to undertake vigorous action against incitement to racial or ethnic hatred and incitement to genocide or ethnic cleansing. In that connection, it was recalled that article III of the Convention on the Prevention and Punishment of the Crime of Genocide provided that conspiracy to commit genocide, direct and public incitement to commit genocide, attempt to commit genocide and complicity in genocide were punishable acts. Similarly, reference was made to article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination which prohibited all dissemination of ideas based on racial superiority or hatred as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin.

In the same order of ideas, the question was asked whether there was not a basic contradiction in many democracies between the unrestricted promotion of the right to freedom of expression and the propagation of racist ideas.

45. Some participants expressed their regret that, unlike the first Decade to Combat Racism and Racial Discrimination, the Second and Third Decades had not aroused the same avid enthusiasm within the international community. Nevertheless, general welcome was expressed for the fact that the United Nations, through the mandate confided to the Special Rapporteur on contemporary forms of racism, had decided to attack the resurgence of anti-Semitism.

46. One participant pointed out that the role of leaders of opinion was important in developing mental perceptions. It was generally agreed that it was necessary to educate the public through the media so as to encourage tolerance.

47. Several participants expressed the hope that, as recommended by the Subcommission on Prevention of Discrimination and Protection of Minorities, a world conference against racism and racial discrimination would be convened.

48. Mr. Ibrahima Fall concluded the work of the Round Table by assuring the participants of the commitment of the High Commissioner and Centre for Human Rights to the campaign against racism and racial discrimination and encouraged the participants to pursue their own activities to the same end.

D. Activities of the Special Rapporteur on contemporary forms of racism and racial discrimination, xenophobia and related intolerance

49. In his report to the fifty-first session of the Commission on Human Rights (E/CN.4/1995/78 and Add.1), Mr. Glèlè-Ahanhanzo, Special Rapporteur, presented his findings on contemporary manifestations of racism and racial discrimination in several countries. He has undertaken a mission to Brazil and is planning visits to Germany and France. He regretted that the mission to the United Kingdom had to be postponed due to a lack of financial resources. The visit will take place in the second half of 1995.

50. At the fifty-first session of the Commission, the Special Rapporteur introduced his report; he had also made a preliminary report to the General Assembly (A/49/677). The Special Rapporteur emphasized that biological racism persisted and coexisted with cultural racism. Reporting on his field mission to the United States of America in 1994, he welcomed the great openness with which he had been received by the United States Government and numerous non-governmental organizations. He had, however, concluded that there was still some social dysfunction owing to the persistence of racism and racial discrimination. The concept of affirmative action should be updated to remedy economic and social disparities, and measures should be taken to prevent the creation of racist organizations and to outlaw racist propaganda.

51. He concluded that the information gathered showed that, at the national, regional and international levels, there had been a mobilization of Governments and competent organizations and institutions against the rise of

racism, racial discrimination, xenophobia and related intolerance. The Special Rapporteur could only welcome this trend and encourage all the individuals and bodies concerned to keep up their efforts and to redouble their vigilance so as to frustrate racist and xenophobic acts and practices, which often paraded as nationalism and national or continental preference.

52. He hoped for strict measures against individuals and organizations engaging in racist attacks and endangering the life or violating the physical integrity of foreigners, refugees or persons belonging to ethnic minorities, so as to put an end to racist and xenophobic violence in 1995.

E. Activities of United Nations bodies and specialized agencies

1. United Nations Centre for Human Settlements (Habitat)

[Original: English]
[5 April 1995]

53. Before Namibian independence and the multiracial elections which ushered in the Government of National Unity in South Africa, UNCHS (Habitat) had been providing assistance to refugees of the African National Congress (ANC), Pan Africanist Congress of Azania (PAC) and the South West African People's Organization (SWAPO) of Namibia to develop the basic guidelines for post-independence housing and urban development policy for Namibia.

54. Since the independence of Namibia, UNCHS (Habitat) has contributed to the development and implementation of local government and housing for Namibia seeking not only to redress the imbalances within the human settlements sector, but also to empower and restore the dignity and social status of non-whites through land ownership and access to adequate housing.

2. United Nations High Commissioner for Refugees

[Original: English]
[8 May 1995]

55. The Office of the United Nations High Commissioner for Refugees (UNHCR) has a mandate to provide international protection to refugees and to seek durable solutions to the problem of refugees. In this context, UNHCR is involved in efforts to prevent the circumstances which force people to flee in search of international protection. UNHCR shares, therefore, the objectives of the Third Decade to Combat Racism and Racial Discrimination, in that elimination of these human rights violations would help prevent refugee flows, facilitate the reception of refugees in countries of asylum, and promote the durability of voluntary repatriation as a solution.

56. The link between these issues and the role of UNHCR is now widely recognized, and has been specifically referred to in General Assembly resolutions 47/105 and 48/116.

57. During 1994, UNHCR undertook an important number of initiatives in response to these concerns within the efforts of the international community and in the framework of the Third Decade to Combat Racism and Racial

Discrimination. Education and training in human rights law has gained momentum in UNHCR's extensive programme of seminars in every region of the world. In this regard a training manual on human rights and refugee protection has just been finalized. This manual, which includes an important chapter on racial discrimination, is currently being tested in training courses for UNHCR staff, both in the field and at headquarters.

58. The Office has launched a public awareness campaign in over a dozen countries of asylum in Europe and North and Latin America in order to combat racism and xenophobia and sensitize people to the plight of refugees. In 1995, UNHCR is also expanding its campaign in Africa and the Middle East.

3. World Food Programme

[Original: English]
[18 April 1995]

59. On the subject of General Assembly resolution 49/146 of 23 December 1994, the World Food Programme advised the Secretary-General that WFP programmes, both development and relief, are planned and implemented on strict conditions of racial equality and non-discrimination. Inasmuch as relief operations are all-embracing, victims of racial discrimination, if affected by food shortages, would be part of the beneficiary groups such as refugees or internally displaced persons and would automatically have access to WFP food aid, if covered by a government request or under United Nations auspices. As an example, the Rwandan refugees in Zaire, Burundi and the United Republic of Tanzania could be considered victims of racial discrimination, or at least they feel threatened by such discrimination. They receive WFP assistance on a large scale.

60. Apart from such programmes, however, WFP does not have specific projects designed in favour of victims of racial discrimination. In principle, this could be done if large groups exist requiring such assistance. The World Food Programme would be happy to consider any proposals that the Centre for Human Rights wishes to make.

4. International Labour Organization

[Original: English]
[24 April 1995]

61. The International Labour Organization reported that the key themes of ILO's present budget cycle (1994-1995) as well as the Director-General's proposals for the 1996-1997 cycle, include the defence of human rights. The basic principle of the elimination of discrimination is therefore integral to all ILO's activities.

62. The principal means of action in this field is through international labour standards. Among these standards three are of particular interest.

63. The Discrimination (Employment and Occupation) Convention, 1958 (No. 111) has been ratified by 119 countries, and counts among ILO's fundamental human rights instruments. The Director-General is launching a campaign for its

wider ratification and better implementation, as a result of the discussions pertinent to the seventy-fifth anniversary of ILO in 1994, and the results of the World Summit for Social Development held in March 1995. Chapter III of the Programme of Action of the Summit calls for "safeguarding and promoting respect for basic workers' rights, including the prohibition of forced and child labour, freedom of association and the right to organize and bargain collectively, equal remuneration for men and women for work of equal value and non-discrimination in employment". The Programme of Action further states that Governments should "strongly consider ratification and full implementation of ILO Conventions in these areas", which of course includes Convention No. 111.

64. In addition to supervising the implementation of this Convention, the ILO carries out a number of promotional and assistance activities concerning it, both at headquarters and in the field. An example is a Sub-Regional Tripartite Seminar for Economies in Transition in East Asia on the Promotion of Equality of Opportunity and Treatment in Employment (April 1995).

65. The Indigenous and Tribal Populations Convention, 1957 (No. 107) and the Indigenous and Tribal Peoples Convention, 1989 (No. 169) are the only two international Conventions on this subject. Convention No. 107 was ratified by 27 countries and Convention No. 169, which revised it, has so far been ratified by 8 countries, 5 of which had previously been bound by Convention No. 107. There is a strong element of prevention of discrimination on the basis of race inherent in these instruments.

66. In execution of its responsibilities related to combating racism and in the context of the International Decade of the World's Indigenous People, ILO carries out a large number of promotional and assistance activities concerning indigenous and tribal peoples around the world. These are intended in some cases to assist Governments and indigenous representatives to analyse Convention No. 169 to determine whether they wish to ratify it; to promote the implementation of its principles even in the absence of ratification; and to assist development initiatives affecting indigenous and tribal peoples irrespective of the ratification. Recent examples are ILO participation in the conclusion of the indigenous peoples element of the follow-up to the Peace Agreement for Guatemala, concluded on 31 March 1995; assistance to Bolivia, the Philippines, Sri Lanka and others to construct a framework for conducting indigenous affairs; assistance to tribal peoples in India to form economic cooperatives for their own development; and assisting the Russian Federation to convene an international donor's conference in September 1995 for the benefit of the indigenous and tribal peoples of that country.

67. In all cases in which the relevant Conventions have been ratified, ILO's supervisory bodies examine government reports and other information concerning their implementation and make comments with a view to helping countries improve their implementation.

II. COORDINATION ACTIVITIES WITH SPECIALIZED AGENCIES

68. The Centre for Human Rights will organize an inter-agency meeting on the work of the Third Decade to Combat Racism and Racial Discrimination in the second half of 1995.

III. STATUS OF THE TRUST FUND FOR THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION

69. The Trust Fund for the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination is a continuation of that established in 1973 by the General Assembly in application of paragraph 17 of the Programme of Action for the first Decade (contained in the annex to General Assembly resolution 3057 (XXVIII) of 2 November 1973) and re-established in 1983 in the framework of the Programme of Action for the Second Decade (contained in the annex to General Assembly resolution 38/14 of 22 November 1983).

70. Notwithstanding the commitments made by the international community, especially at the World Conference on Human Rights (Vienna, June 1993) at which the rapid and complete elimination of all forms of racism and racial discrimination was declared to be a priority task of the international community, contributions to the Fund have remained below the levels hoped for. Nevertheless, on 2 June 1995 it was reported that no contributions were received for 1995. Only Norway pledged to contribute. It is therefore certain that, unless a supplementary financing effort is made, very few of the activities planned for the 1994-1997 period will be carried out. It is important to note that contributors can allocate their contributions to whatever particular activities they deem especially worthy of interest within the context of the effort to combat racism and racial discrimination. The current status of the Fund is reflected in the annex.

IV. OTHER ACTIVITIES

71. In regard to the plan of activities to be carried out during the first third of the Third Decade (1994-1997) (see E/1994/97, paras. 66-69), to date the Centre has not been in a position to initiate their implementation because of lack of financial and human resources. In this regard, in pursuance of the Commission's recommendation in paragraph 21 of its resolution 1995/11, there is a need to establish a focal point for the Third Decade to Combat Racism and Racial Discrimination to coordinate the activities called for under the Third Decade. It should be noted that as yet, for the same reason, no action has been taken regarding the proposal to erect a memorial in honour of the victims of racism and racial discrimination (E/1994/97 para. 75), bearing in mind the recommendation contained in the report that "the study of the feasibility of this project should be entrusted to the Secretary-General". Furthermore, the recommendation to the Commission to convene a third world conference to combat racism and racial discrimination is pending the decision of the General Assembly.

72. In accordance with the Vienna Declaration and Plan of Action, a strategy is in preparation for information, mobilization and communication for the Third Decade. The strategy for this programme takes into account two landmark developments - the Vienna Declaration and Plan of Action itself, and the creation of the Office of the United Nations High Commissioner for Human Rights. The strategy will also take into account the current status of contemporary forms of racism worldwide, the forces behind them, and integrated concomitant action for indigenous peoples, women and children, and minorities when faced with racial discrimination. Coordinated cohesive action will be

explored regarding the Decades for indigenous peoples and human rights education and all actors concerned, including United Nations agencies, IGOs and NGOs.

V. CONCLUSION

73. The contributions made by the various United Nations bodies and organizations, Governments, IGOs and NGOs to the work of the Third Decade to Combat Racism and Racial Discrimination illustrate global and concerted efforts to address the issues and to provide long-lasting solutions.

74. The international community has been alerted to the eruption of new forms of racism causing massive violations of human rights, which calls for the continued efforts of the international community to eradicate racism and to ensure racial harmony. To that end, the recommendations contained in this report and those made by the Commission on Human Rights should be taken into account, in particular:

(a) The Special Rapporteur should take into account all kinds of information, including from the mass media. To support his work the Centre for Human Rights should build up its database and access information from diverse sources;

(b) Governments should contribute, in cooperation with non-governmental organizations, educators and the media, to the implementation of the Plan of Action for the United Nations Decade for Human Rights Education; the Centre for Human Rights, in cooperation with Member States, human rights treaty-monitoring bodies, other appropriate bodies and competent non-governmental organizations, would support efforts by the High Commissioner in the implementation of the Plan;

(c) The Centre for Human Rights, in cooperation with the Department of Public Information, should finalize its comprehensive review of the programme of information and publications in the field of human rights; DPI, in cooperation with the Centre, should utilize United Nations information centres to disseminate basic information and reference materials on human rights and fundamental freedoms; the High Commissioner for Human Rights should coordinate and harmonize human rights information strategies within the United Nations system. It should be recalled that the Secretary-General was requested to submit to the Commission, at its fifty-third session, a report on public information activities, with special emphasis on the activities of the World Public Information Campaign for Human Rights, including information on expenditures incurred in the biennium 1994-1995 and those envisaged for future activities and other questions;

(d) All Member States should establish or, where they already exist, strengthen national institutions for the promotion and protection of human rights; the Secretary-General should give a high priority to requests from Member States for assistance in this regard, as part of the programme of advisory services and technical assistance in the field of human rights, and should invite Member States which had not yet done so to inform him of their views concerning possible forms of participation by national institutions in United Nations meetings dealing with human rights;

(e) Consideration should be given to establishing "community relations commissions" not only in areas where tensions have actually emerged, but also as a general mechanism in all communities. Such commissions could reinforce existing inter-group understanding. At an early stage, they could identify the seeds of future tension and take preventive action. Consideration could also be given to the participation of vulnerable groups in the elaboration of national and local plans of action, essential as a tangible recognition of the dignity of the individuals concerned and of the principle of equality.

Annex

SCHEDULE OF PLEDGES MADE AND CONTRIBUTIONS RECEIVED FOR THE TRUST FUND FOR THE PROGRAMME OF ACTION FOR THE (THIRD) DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION FROM 1985 TO APRIL 1995

COUNTRIES/TRUST FUNDS	UNPAID PLEDGES AS AT 1 JANUARY 1994	ADD: PLEDGES FOR 1994-1995 AND ADJUSTMENTS OF PRIOR PLEDGES	ADD: PLEDGES FOR FUTURE YEARS	LESS: COLLECTIONS 1994 AND 1995	LESS: LOSS (GAIN) ON EXCHANGE	UNPAID PLEDGES AS AT 30 APRIL 1995
(5.4) PROGRAMME OF ACTION FOR THE DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION						
AUSTRIA	-	(5 000)	-	(5 000)	-	-
DOMINICA	-	2 002	-	2 002	-	-
DOMINICAN REPUBLIC	-	(2 002)	-	(2 002)	-	-
JAPAN	10 000	10 000	-	20 000	-	-
LUXEMBOURG	-	5 934	-	5 934	-	-
NIGERIA	-	2 000	-	2 000	-	-
SWEDEN	-	7 997	-	7 997	-	-
THAILAND	1 000	(1 000)	-	-	-	-
TUNISIA	2 000	-	-	-	-	2 000
SUBTOTAL	13 000	19 931	-	30 931	-	2 000

COUNTRIES/TRUST FUNDS	UNPAID PLEDGES AS AT 1 JANUARY 1994	ADD: PLEDGES FOR 1994-1995 AND ADJUSTMENTS OF PRIOR PLEDGES	ADD: PLEDGES FOR FUTURE YEARS	LESS: COLLECTIONS 1994 AND 1995	LESS: LOSS (GAIN) ON EXCHANGE	UNPAID PLEDGES AS AT 31 DECEMBER 1994
PROGRAMME OF ACTION FOR THE DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION						
AUSTRIA	-	(5 000)	-	(5 000)	-	-
DOMINICA	-	2 002	-	2 002	-	-
DOMINICAN REPUBLIC	-	(2 002)	-	(2 002)	-	-
JAPAN	10 000	-	-	10 000	-	-
LUXEMBOURG	-	5 934	-	5 934	-	-
NIGERIA	-	2 000	-	2 000	-	-
THAILAND	1 000	(1 000)	-	-	-	-
TUNISIA	2 000	-	-	-	-	2 000
SUBTOTAL	13 000	1 934	-	12 934	-	2 000

COUNTRIES/TRUST FUNDS	UNPAID PLEDGES AS AT 1 JANUARY 1992	ADD: PLEDGES FOR 1992-1993 AND ADJUSTMENTS OF PRIOR PLEDGES	ADD: PLEDGES FOR FUTURE YEARS	LESS: COLLECTIONS 1992 AND 1993	LESS: LOSS (GAIN) ON EXCHANGE	UNPAID PLEDGES AS AT 31 DECEMBER 1993
COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION						
UGANDA	2 388	1 239	-	2 388	-	1 239
UKRAINE	1 828	6 018	-	3 026	-	4 820
UNITED ARAB EMIRATES		1 826	-	1 826	-	-
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND	(2)	15 370	-	15 368	-	-
UNITED REPUBLIC OF TANZANIA	1 536	1 239	-	-	-	2 775
URUGUAY	545	1 321	-	930	-	936
VENEZUELA	-	2 427	-	639	-	1 788
VIET NAM	1 882	1 239	-	-	-	3 121
YEMEN	1 194	607	-	-	-	1 801
YUGOSLAVIA	800	1 757	-	-	-	2 557
ZAIRE	(407)	1 239	-	2 000	-	(1 168)
ZAMBIA	(2 510)	1 239	-	201	-	(1 472)
ZIMBABWE	-	2 086	-	-	-	2 086
SUBTOTAL	163 700	315 858	-	213 662	-	265 896
PROGRAMME OF ACTION FOR THE DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION						
BANGLADESH	-	340	-	340	-	-
DENMARK	-	51 800	-	51 800	-	-
DOMINICAN REPUBLIC	-	2 002	-	2 002	-	-
JAPAN	10 000	20 000	-	20 000	-	10 000
LIBYAN ARAB JAMAHIRIYA	-	6 000	-	6 000	-	-
SAINT LUCIA	-	500	-	500	-	-
SAINT VINCENT AND GRENADINES	-	1 000	-	1 000	-	-
SAN MARINO		2 000		2 000		
THAILAND	1 000	-	-	-	-	1 000
TUNISIA	-	2 000	-	-	-	2 000
SUBTOTAL	11 000	85 642	-	83 642	-	13 000

COUNTRIES/TRUST FUNDS	UNPAID PLEDGES AS AT 1 JANUARY 1992	ADD: PLEDGES FOR 1992 AND ADJUSTMENTS OF PRIOR PLEDGES	ADD: PLEDGES FOR FUTURE YEARS	LESS: COLLECTIONS 1992	LESS: LOSS (GAIN) ON EXCHANGE	UNPAID PLEDGES AS AT 31 DECEMBER 1992
COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION						
UGANDA	2 388	362	-	2 388	-	362
UKRAINE	1 828	1 198	-	-	-	3 026
UNITED ARAB EMIRATES		546	-	546	-	-
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND	(2)	4 534	-	4 532	-	-
UNITED REPUBLIC OF TANZANIA	1 536	362	-	-	-	1 898
URUGUAY	545	385	-	545	-	385
VENEZUELA	-	639	-	639	-	-
VIET NAM	1 882	362	-	-	-	2 244
YEMEN	1 194	(270)	-	-	-	924
YUGOSLAVIA	800	635	-	-	-	1 435
ZAIRE	(407)	362	-	2 000	-	(2 045)
ZAMBIA	(2 510)	362	-	201	-	(2 349)
ZIMBABWE	-	993	-	-	-	993
SUBTOTAL	163 700	91 830	-	74 037	(16)	181 509
PROGRAMME OF ACTION FOR THE DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION						
BANGLADESH	-	340	-	340	-	-
DENMARK	-	51 800	-	51 800	-	-
JAPAN	10 000	-	-	10 000	-	-
SAINT LUCIA	-	500	-	500	-	-
SAINT VINCENT AND GRENADINES	-	1 000	-	1 000	-	-
THAILAND	1 000	-	-	-	-	1 000
SUBTOTAL	11 000	53 640	-	63 640	-	1 000

COUNTRIES/TRUST FUNDS	UNPAID PLEDGES AS AT 1 JANUARY 1990	ADD: PLEDGES FOR 1990-1991 AND ADJUSTMENTS OF PRIOR PLEDGES	ADD: PLEDGES FOR FUTURE YEARS	LESS: COLLECTIONS 1990 AND 1991	LESS: LOSS (GAIN) ON EXCHANGE	UNPAID PLEDGES AS AT 31 DECEMBER 1991
TRUST FUND FOR THE PROGRAMME OF ACTION FOR THE DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION						
AUSTRIA	-	5 000	-	5 000	-	-
DOMINICA	-	1 993	-	1 993	-	-
JAPAN	-	20 000	-	10 000	-	10 000
MALAYSIA	-	500	-	500	-	-
THAILAND	-	1 000	-	-	-	1 000
SUBTOTAL	-	28 493	-	17 493	-	11 000
UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE						
ARGENTINA	-	6 996	-	6 996	-	-
AUSTRIA	-	11 000	-	11 000	-	-
CANADA	-	51 684	-	51 684	-	-
CHILE	-	2 000	-	-	-	2 000
DENMARK	-	325 498	-	325 498	-	-
ECUADOR	-	900	-	900	-	-
FINLAND	-	346 198	-	345 839	359	-
FRANCE	43 478	103 175	-	146 653	-	-
GERMANY	-	261 853	119 048	261 853	(5 952)	125 000
GREECE	-	11 245	-	6 245	-	5 000
ICELAND	2 300	2 410	-	4 710	-	-
IRELAND	-	3 572	-	3 572	-	-
ITALY	-	60 000	60 000	30 000	-	90 000
JAPAN	-	100 000	-	50 000	-	50 000
LIECHTENSTEIN	-	7 874	6 803	-	691	13 986
LUXEMBOURG	-	2 917	-	2 917	-	-
NETHERLANDS	-	82 362	52 632	81 797	565	52 632
NEW ZEALAND	-	35 361	-	35 361	-	-
NORWAY	-	99 985	-	99 985	-	-
PHILIPPINES	-	440		440		-
SPAIN	-	71 529	-	71 529	-	-
SRI LANKA	-	1 000	-	1 000	-	-
SWEDEN	-	169 097		169 097		-
SWITZERLAND	-	23 649	-	23 649	-	-
TUNISIA	-	1 209	-	1 299	(90)	-

COUNTRIES/TRUST FUNDS	UNPAID PLEDGES AS AT 1 JANUARY 1988	ADD: PLEDGES FOR 1988, 1989 AND ADJUSTMENTS OF PRIOR PLEDGES	ADD: PLEDGES FOR FUTURE YEARS	LESS: COLLECTIONS 1988 AND 1989	LESS: LOSS (GAIN) ON EXCHANGE	UNPAID PLEDGES AS AT 31 DECEMBER 1989
COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION						
UNITED REPUBLIC OF TANZANIA	1 162	896	-	1 508	-	550
URUGUAY	(1 156)	949	-	75	-	(282)
VENEZUELA	-	1 904	-	743	-	1 161
VIET NAM	-	896	-	-	-	896
YUGOSLAVIA	(649)	1 699	-	1 050	-	-
ZAIRE	4 802	896	-	5 091	-	607
ZAMBIA	(2 622)	896	-	1 770	-	(3 496)
SUBTOTAL	129 951	218 851	-	205 912	-	142 890
PROGRAMME OF ACTION FOR THE DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION						
BAHAMAS	-	500	-	500	-	-
CAMEROON	-	906	-	906	-	-
INDONESIA	-	2 500	-	2 500	-	-
ITALY	-	10 000	-	10 000	-	-
JAMAICA	-	500	-	500	-	-
JAPAN	-	20 000	-	20 000	-	-
LIBYAN ARAB JAMAHIRIYA	-	10 000	-	10 000	-	-
REPUBLIC OF KOREA	-	3 000	-	3 000	-	-
SWAZILAND	1 015	-	-	760	255	-
SUBTOTAL	1 015	47 406	-	48 166	255	-

COUNTRIES/TRUST FUNDS	UNPAID PLEDGES AS AT 1 JANUARY 1988	ADD: PLEDGES FOR 1988 AND ADJUSTMENTS OF PRIOR PLEDGES	ADD: PLEDGES FOR FUTURE YEARS	LESS: COLLECTIONS 1988	LESS: LOSS (GAIN) ON EXCHANGE	UNPAID PLEDGES AS AT 31 DECEMBER 1988
COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION						
UNION OF SOVIET SOCIALIST REPUBLICS	-	7 236	-	7 236	-	-
UNITED ARAB EMIRATES	-	461	-	461	-	-
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND	-	3 625	-	3 625	-	-
UNITED REPUBLIC OF TANZANIA	1 162	346	-	1 508	-	-
URUGUAY	(1 156)	366	-	-	-	(790)
VENEZUELA	-	743	-	743	-	-
VIET NAM	-	346	-	-	-	346
YUGOSLAVIA	(649)	649	-	-	-	-
ZAIRE	4 802	346	-	5 091	-	57
ZAMBIA	(2 622)	346	-	-	-	(2 276)
SUBTOTAL	129 951	83 387	-	79 666	-	133 672
PROGRAMME OF ACTION FOR THE DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION						
BAHAMAS	-	500	-	500	-	-
ITALY	-	10 000	-	10 000	-	-
JAPAN	-	10 000	-	10 000	-	-
SWAZILAND	1 015	-	-	-	168	847
SUBTOTAL	1 015	20 500	-	20 500	168	847
UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE						
ARGENTINA	-	5 000	-	5 000	-	-
AUSTRALIA	-	3 573	-	3 573	-	-
AUSTRIA	-	5 000	-	5 000	-	-
BELGIUM	-	10 000	-	10 000	-	-
BRAZIL	-	5 000	-	5 000	-	-
CANADA	-	24 390	-	24 390	-	-
DENMARK	-	294 540	-	294 540	-	-
FINLAND	-	154 923	-	154 923	-	-
FRANCE	-	94 790	-	18 519	-	76 271

COUNTRIES/TRUST FUNDS	UNPAID PLEDGES AS AT 1 JANUARY 1986	ADD: PLEDGES FOR 1986 AND ADJUSTMENTS OF PRIOR PLEDGES	ADD: PLEDGES FOR FUTURE YEARS	LESS: COLLECTIONS DURING 1986	LESS: LOSS (GAIN) ON EXCHANGE	UNPAID PLEDGES AS AT 31 DECEMBER 1986
PROGRAMME OF ACTION FOR THE DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION						
AUSTRIA	-	1 000	-	1 000	-	-
CAMEROON	-	2 711	-	2 711	-	-
CANADA	-	2 000	-	2 000	-	-
ITALY	-	4 000	-	4 000	-	-
JAPAN	-	10 000	-	10 000	-	-
NETHERLANDS	-	5 000	-	5 000	-	-
NORWAY	-	10 000	-	10 000	-	-
SWAZILAND	-	-	901	-	-	-
SUBTOTAL	-	34 711	901	34 711	-	901
UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE						
AUSTRIA	-	5 000	-	5 000	-	-
BRAZIL	-	5 000	-	5 000	-	-
CAMEROON	-	1 345	-	1 345	-	-
CANADA	7 299	(53)	-	7 103	143	-
CYPRUS	-	300	-	300	-	-
DENMARK	-	120 402	-	120 402	-	-
FINLAND	-	104 305	-	104 306	-	-
FRANCE	-	37 594	-	37 594	-	-
GERMANY, FEDERAL REPUBLIC OF	-	94 787	-	99 216	(4 429)	-
GREECE	-	5 000	-	5 000	-	-
ICELAND	-	2 000	-	2 000	-	-
IRELAND	-	10 872	-	10 872	-	-
JAPAN	-	50 000	-	50 000	-	-
LIECHTENSTEIN	-	2 959	-	2 959	-	-
LUXEMBOURG	-	1 422	-	1 422	-	-
NETHERLANDS	-	165 811	-	165 811	-	-
NEW ZEALAND	-	13 400	-	13 400	-	-
NORWAY	-	5 000	-	5 000	-	-
SAN MARINO	-	2 117	-	2 117	-	-
SPAIN	-	12 900	-	13 176	(273)	
SWEDEN	-	72 020	-	72 020	-	-
SWITZERLAND	-	91 756	-	93 013	(1 257)	-
UNITED STATES OF AMERICA	-	86 000	-	-	-	86 000
YUGOSLAVIA	5 000	-	-	-	-	5 000
SUBTOTAL	12 299	889 940	-	817 056	(5 816)	91 000

COUNTRIES/TRUST FUNDS	UNPAID PLEDGES AS AT 1 JANUARY 1986	ADD: PLEDGES FOR 1986 AND 1987 AND ADJUSTMENTS OF PRIOR PLEDGES	ADD: PLEDGES FOR FUTURE YEARS	LESS: COLLECTIONS DURING 1986 AND 1987	LESS: LOSS (GAIN) ON EXCHANGE	UNPAID PLEDGES AS AT 31 DECEMBER 1987
PROGRAMME OF ACTION FOR THE DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION						
AUSTRIA	-	1 000	-	1 000	-	-
BAHAMAS	-	500	-	500	-	-
BANGLADESH	-	1 000	-	1 000	-	-
CAMEROON	-	2 711	-	2 711	-	-
CANADA	-	2 000	-	2 000	-	-
CHINA	-	10 000	-	10 000	-	-
INDIA	-	10 000	-	10 000	-	-
ITALY	-	4 000	-	4 000	-	-
JAPAN	-	20 000	-	20 000	-	-
NETHERLANDS	-	5 000	-	5 000	-	-
NORWAY	-	10 000	-	10 000	-	-
SWAZILAND	-	901	-	-	(114)	1 015
SYRIAN ARAB REPUBLIC	-	1 000	-	1 000	-	-
SUBTOTAL	-	60 112	-	67 211	(114)	1 015
UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE						
AUSTRIA	-	10 000	-	10 000	-	-
BELGIUM	-	10 000	-	10 000	-	-
BRAZIL	-	5 000	-	5 000	-	-
CAMEROON	-	1 345	-	1 345	-	-
CANADA	7 299	7 639	-	14 530	400	-
CYPRUS	-	300	-	300	-	-
DENMARK	-	120 402	-	120 402	-	-
FINLAND	-	238 353	-	238 353	-	-
FRANCE	-	78 244	-	78 244	-	-
GERMANY, FEDERAL REPUBLIC OF	-	214 476	-	210 905	(4 429)	-
GREECE	-	10 000	-	10 000	-	-
ICELAND	-	4 000	-	4 000	-	-
IRELAND	-	19 812	-	19 812	-	-
ITALY	-	100 000	-	100 000	-	-
JAPAN	-	100 000	-	100 000	-	-
KENYA	-	500	-	500	-	-
LIECHTENSTEIN	-	2 959	-	2 959	-	-
LUXEMBOURG	-	2 523	-	2 523	-	-
NETHERLANDS	-	165 011	-	165 011	-	-
NEW ZEALAND	-	29 010	-	29 010	-	-
NORWAY	-	55 000	-	55 000	-	-
SAN MARINO	-	2 117	-	2 117	-	-
SENEGAL	-	106	-	106	-	-
SPAIN	-	32 100	-	32 373	(273)	-
SWEDEN	-	72 020	-	72 020	-	-

COUNTRIES/TRUST FUNDS	UNPAID PLEDGES AS AT 1 JANUARY 1984	ADD: PLEDGES FOR 1984 AND 1985 AND ADJUSTMENTS OF PRIOR PLEDGES	ADD: PLEDGES FOR FUTURE YEARS	LESS: COLLECTIONS DURING 1984 AND 1985	LESS: LOSS (GAIN) ON EXCHANGE	UNPAID PLEDGES AS AT 31 DECEMBER 1985
PROGRAMME OF ACTION FOR THE DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION						
BELGIUM	-	1 500	-	1 500	-	-
DENMARK	-	8 000	-	8 000	-	-
FINLAND	-	5 000	-	5 000	-	-
GERMANY, FEDERAL REPUBLIC OF	-	4 000	-	4 000	-	-
NORWAY	-	10 000	-	10 000	-	-
SPAIN	-	1 000	-	1 000	-	-
SWEDEN	-	5 000	-	5 000	-	-
SUBTOTAL	-	34 500	-	34 500	-	-
UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE						
AUSTRALIA	-	12 816	-	12 816	-	-
AUSTRIA	-	5 000	-	5 000	-	-
BELGIUM	-	10 000	-	10 000	-	-
BRAZIL	-	5 000	-	5 000	-	-
CANADA	-	52 756	7 246	43 991	1 466	14 545
CYPRUS	-	250	-	250	-	-
DENMARK	-	197 971	-	197 971	-	-
FINLAND	-	163 533	-	163 533	-	-
FRANCE	-	47 071	-	46 813	258	-
GERMANY, FEDERAL REPUBLIC OF	-	143 311	-	143 311	-	-
GREECE	-	10 000	-	10 000	-	-
IRELAND	-	12 771	-	12 771	-	-
JORDAN	-	1 000	-	1 000	-	-
KENYA	-	400	-	400	-	-
LIECHTENSTEIN	-	2 286	-	2 286	-	-
LUXEMBOURG	-	2 582	-	2 582	-	-
NETHERLANDS	-	110 750	-	110 750	-	-
SAN MARINO	-	2 259	-	2 259	-	-
SPAIN	-	-	12 903	-	-	12 903
SWEDEN	-	60 790	-	60 790	-	-
SWITZERLAND	-	60 540	-	60 540	-	-
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND	-	12 445	-	12 445	-	-
UNITED REPUBLIC OF CAMEROON	-	1 114	-	1 114	-	-
UNITED STATES OF AMERICA	-	100 000	-	100 000	-	-
YUGOSLAVIA	5 000	-	-	-	-	5 000
SUBTOTAL	5 000	1 022 645	20 149	1 013 622	1 724	32 448

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SOCIAL, HUMANITARIAN AND HUMAN RIGHTS QUESTIONS:
REPORTS OF SUBSIDIARY BODIES, CONFERENCES AND
RELATED QUESTIONS: HUMAN RIGHTS QUESTIONS

Report of the United Nations High Commissioner for Human Rights

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Introduction

1. Pursuant to the request contained in paragraph 5 of General Assembly resolution 48/141, the High Commissioner submitted his first report to the General Assembly at its forty-ninth session (A/49/36) and his first report to the Commission on Human Rights at its fifty-first session (E/CN.4/1995/98). The present report, pursuant to the request of the General Assembly, focuses on policy matters and updating of information concerning the High Commissioner's activities.

2. In keeping with his mandate and in the context of the Vienna Declaration and Programme of Action, the High Commissioner has oriented his activities towards: (a) promoting international cooperation in the field of human rights and coordinating human rights activities within the United Nations system; (b) strengthening implementation of all human rights; (c) responding to serious violations of human rights; (d) acting to prevent violations of human rights from becoming serious or widespread; (e) assisting countries in transition to democracy; (f) providing advisory services and technical assistance in the field of human rights; (g) adapting the United Nations human rights machinery to current and future needs; (h) promoting the right to development and the enjoyment of cultural, economic and social rights; (i) combating discrimination; promoting the rights of persons belonging to groups requiring special protection: women, children, minorities and indigenous people; (j) combating the most atrocious human rights violations, such as torture and involuntary disappearances; (k) assisting internally displaced persons, (l) promoting human rights education and public information activities; (m) implementing the Vienna Declaration and Programme of Action.

I. MAIN FIELDS OF THE HIGH COMMISSIONER'S ACTIVITY

A. Cooperation and coordination

3. International cooperation is fundamental for the promotion and protection of human rights. Cooperation with all human rights actors and better coordination of human rights efforts throughout the United Nations system are essential to improve the efficiency and effectiveness of the human rights programme. The High Commissioner has been vested by the General Assembly with a specific responsibility in this respect. Thus, from the very outset of his mandate he has attached primary importance to setting up a framework for a close and continuous cooperation with Governments, the United Nations agencies and programmes, other international organizations, national institutions for the promotion and protection of human rights and non-governmental organizations. Mutual support of efforts, facilitating of joint or coordinated human rights activities and rational use of available resources should lead to better protection of all those who need it.

4. The following fundamental presumptions should guide the international cooperation: (a) the promotion and protection of all human rights is a legitimate concern of the international community; (b) the primary responsibility for the promotion and protection of human rights rests with Governments; (c) the international community should take all necessary measures to prevent human rights abuses and eradicate the most atrocious human rights violations; (d) the international and regional systems of human rights

protection are complementary and should support each other; (e) national institutions, NGOs, academic institutions and grass-roots initiatives should be fully accepted as natural human rights advocates and partners in international cooperation on human rights; (f) the international protection and promotion of human rights will be effective if based on the principle of the indivisibility and equal value of all human rights - civil, cultural, economic, political and social; (g) the interdependence between democracy, development and respect for human rights, underlined by the World Conference on Human Rights, offers a prospect of harmonious national and international activity.

5. A key element in the High Commissioner's mandate is the responsibility of engaging in a dialogue with all Governments with a view to securing respect for all human rights. Since he submitted his first report to the General Assembly, the High Commissioner has visited Australia, Burundi (for the third time), Canada, Colombia, Costa Rica, Cuba, India, Panama, Rwanda (for the third time), Spain and the United States.

6. In the framework of his missions, the High Commissioner raises general problems concerning the international protection of human rights, as well as country specific issues. Inter alia he has urged States to ratify the human rights treaties and discussed strengthening national implementation of human rights through the preparation of national plans of action, the establishment of national institutions such as human rights commissions or an ombudsman, strengthening the rule of law, and the promotion of human rights education. He has stressed the need to promote and protect cultural, economic and social rights, as well as the right to development, and to consider the impact of various policies on those rights, especially with regard to the most vulnerable groups in society. The High Commissioner has raised issues relating to the promotion of the rights of women; the status of minorities and the status of non-citizens; the legal status of refugees and asylum seekers; the protection of the rights of children; the prohibition of torture and combating involuntary disappearances; and the conformity of national legislation with international standards. He has paid attention to the need for strengthening international cooperation on human rights, and for support for the United Nations human rights programme. He has also paid particular attention to the cooperation of Governments with the special rapporteurs and representatives, working groups of the Commission on Human Rights and treaty monitoring bodies, as well as the follow-up to their recommendations.

7. The High Commissioner has undertaken action with regard to the human rights situation in Chechnya. During his meeting with the Minister for Foreign Affairs of the Russian Federation at Geneva on 17 January 1995, the High Commissioner reiterated his profound preoccupation at the reports of violations of human rights and humanitarian law in Chechnya, characterized by a large number of civilian victims, and appealed once again for an immediate end to violence and violations of human rights in full respect for the Charter of the United Nations, the Universal Declaration of Human Rights, international human rights instruments and humanitarian law. The High Commissioner offered the cooperation of his office in connection with the promotion of human rights and the provision of technical assistance for the re-establishment of basic human rights infrastructure. In the statement of the Chairman of the fifty-first session of the Commission on

Human Rights on the situation of human rights in the Republic of Chechnya (E/1995/23-E/CN.4/1995/176, para. 594), the High Commissioner was invited to continue his dialogue with the Government of the Russian Federation with a view to securing respect for all human rights. The High Commissioner's representative visited the Russian Federation, including Chechnya and Ingushetia from 20 to 30 May 1995. The dialogue of the High Commissioner with the authorities of the Russian Federation concerning the modalities of the United Nations involvement in the process of restoration of human rights protection in Chechnya is ongoing.

8. The General Assembly has vested the High Commissioner with specific responsibility for coordinating human rights activities throughout the system. The approach taken in this regard is in line with the Vienna Declaration and Programme of Action. To implement this part of his mandate, the High Commissioner has concluded working agreements with the United Nations agencies and programmes. Recently, a memorandum of understanding with the United Nations Volunteers has been signed. Memoranda of understanding with UNDP, UNHCR and UNESCO are under preparation. It should be noted that coordination with United Nations agencies and programmes has increased substantially in connection with the human rights field operations and has provided a solid base for cooperation in other areas as well.

9. The High Commissioner attaches great importance to the implementation of the conclusions of the 12 April 1994 session of the Administrative Committee on Coordination (ACC) on the follow-up of the Vienna Declaration and Programme of Action and especially to the regular review by the Committee of the progress achieved.

10. The regional intergovernmental organizations and the United Nations have parallel objectives with regard to the promotion and protection of human rights. This is the basis on which the cooperation between the United Nations human rights programme and these organizations is being developed. Experience gathered shows how helpful and mutually reinforcing such cooperation can be. The framework for coordination of efforts has been created with the Organization of American States, the Organization of African Unity, the European Union, the Council of Europe, the Organization for Security and Cooperation in Europe (OSCE) and the Organization of Baltic States. Practical cooperation with regard to specific areas or cases may be of particular importance. The European Union has provided 45 highly qualified personnel, fully equipped, who are working as an integral part of the United Nations human rights operation in Rwanda. The European Union declared its support for the High Commissioner's human rights preventive action in Burundi and pledged 3 million ECU to that effect. The High Commissioner is cooperating with OSCE with regard, inter alia, to the human rights situation in Chechnya and participates in the coordinating initiative of OSCE, UNHCR, the International Organization for Migration (IOM) and the International Committee of the Red Cross relating to Europe. Working agreements are under discussion with the Inter-American Commission of Human Rights, the Council of Europe and OSCE. The High Commissioner is continuing to participate in the discussion about the setting up of a regional or subregional human rights arrangement in Asia.

11. National institutions constitute a growing infrastructure for human rights promotion and protection worldwide. Their impact on the implementation of human rights is visible and highly appreciated. The United Nations human rights programme encourages the setting up of such institutions. Through the programme of advisory services and technical cooperation, it provides them with a framework for cooperation, exchange of experience and mutual support, as well as with assistance, including training and information. The Third International Workshop on National Institutions for the Promotion and Protection of Human Rights was held at Manila in April 1995 at the invitation of the Government of the Philippines. The High Commissioner has established a senior adviser in his office with a view to assisting Governments to create such national institutions.

12. The active presence of the human rights constituency, embodied by non-governmental organizations, grass-roots initiatives and individuals, has become a prerequisite of efficient action in the field of human rights. This is true both at the national and international levels. Non-governmental organizations are natural partners of the High Commissioner. The United Nations human rights programme is strongly interested in a close cooperation with them. Regular meetings and consultations with NGOs have become an important component of the activities of the High Commissioner.

13. Cooperation with academic institutions should be an important vehicle in the implementation of the Vienna Declaration and Programme of Action. A number of such institutions have already offered their cooperation in preparing background policy studies in important human rights areas (for example, prevention of human rights violations, the right to development, economic, social and cultural rights, the protection of minorities, information and documentation). They have already expressed their readiness to cooperate actively in the realization of the United Nations Decade for Human Rights Education and the implementation of the Vienna Declaration and Programme of Action.

B. Strengthening the implementation of all human rights

14. Since 1945, a comprehensive body of human rights standards has been elaborated in the framework of the United Nations. Today, the United Nations human rights programme increasingly focuses its activities on the implementation of these standards. The country rapporteurs, thematic special rapporteurs, working groups and treaty bodies attach great importance to developing methods and means to improve the implementation of human rights. The General Assembly at its forty-ninth session, in resolution 49/178, identified steps to be taken in this respect and reiterated its support for the related efforts and recommendations of the treaty bodies. It also urged States parties to make every effort to meet their reporting obligations and to address, as a matter of priority, the issue of States parties consistently not complying with their treaty obligations. In its resolution 49/145, the General Assembly welcomed the innovatory procedures adopted by the Committee on the Elimination of Racial Discrimination for reviewing the implementation of the Convention in States whose reports are overdue.

15. Although the adoption of legislation consistent with international standards is of paramount importance, it is still necessary to apply it in

practice. Furthermore, the efficient functioning of the international human rights machinery, which assists the implementation of the international human rights standards, depends on the cooperation of the Member States. The High Commissioner is assisting the special procedures and the treaty bodies in their efforts towards better implementation of human rights.

16. The Commission on Human Rights, at its recent sessions, has observed encouraging trends. A growing number of countries have developed a working relationship with the Commission and its mechanisms. A number of countries have improved their human rights record. The removal from its agenda of the items relating to human rights in South Africa and to apartheid by the Commission on Human Rights at its fifty-first session reflects the momentous change in that country. The end of apartheid and the beginning of democracy through free elections are the achievements of a human rights process embodied in the presidency of Nelson Mandela. Another example of the worldwide process of transition to democracy and human rights is the return of President Aristide to Haiti, which was strongly demanded by the General Assembly and the Commission on Human Rights. The High Commissioner has been in contact with the Government of Myanmar on the question of the house-arrest of the Nobel Peace Prize laureate, Daw Aung San Suu Kyi, from the very beginning of his mandate. On the day of her release the Permanent Representative of Myanmar informed the High Commissioner about it. Resolutions adopted by the Commission at its fifty-first session under the agenda item concerning advisory services in the field of human rights are guiding the provision of assistance to Cambodia, El Salvador, Guatemala, Somalia and Togo.

17. The positive developments, however, are accompanied by the concern expressed by the General Assembly and the Commission with regard to (a) obstacles to the enjoyment of all human rights by all, (b) serious human rights violations and (c) difficult human rights situations in a relatively large number of countries. Resolutions of these bodies have drawn the attention of Governments, the United Nations system and the general public and have called for action with regard to extreme poverty and problems related to sustainable development, international debt, impunity, racial discrimination and discrimination against women, ethnic and religious intolerance, mass exoduses and refugee flows, armed conflicts and terrorism, and lack of the rule of law as major obstacles to human rights. The outcome of work on the right to development, as well as the strengthening of the interlinkage between democracy, development and human rights should provide a helpful strategy to meet the needs in this respect. The General Assembly and the Commission and its mechanisms have for many years alerted the international community to widespread torture and enforced disappearance; arbitrary detention; extrajudicial, summary or arbitrary executions; violence against women, children and vulnerable groups; the problem of internally displaced persons, etc. The Commission has also elaborated measures to combat these violations at the national and international levels which should be applied with the greatest determination. At its fifty-first session, under the agenda item related to the question of violations of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories, the Commission expressed its concern about the human rights situation in the resolutions concerning Afghanistan, Burundi, Cyprus, Cuba, Equatorial Guinea, Haiti, the

Islamic Republic of Iran, Iraq, Myanmar, the Papua New Guinea island of Bougainville, in the Republic of Bosnia and Herzegovina, Croatia, and the Federal Republic of Yugoslavia (Serbia and Montenegro), Rwanda, southern Lebanon and the Western Bekaa, Sudan and Zaire and in the Chairman's statement concerning Chechnya. Under agenda item 4, the Commission considered violations of human rights in the occupied Arab territories, including Palestine, human rights in the occupied Syrian Golan and Israeli settlements in the occupied Arab territories, and under agenda item 9 the situation in occupied Palestine and the question of Western Sahara. In addition, various thematic procedures, in their reports to the Commission, pointed out serious human rights problems in a number of countries and made recommendations in this regard. The High Commissioner in his dialogue with Governments follows up on recommendations of all mechanisms of the Commission with a view to securing respect for all human rights.

18. A particularly difficult situation arises when Governments refuse or limit their cooperation with the Commission or its mechanisms. The General Assembly at its forty-ninth session, in resolution 49/186, urged all States to cooperate with the Commission on Human Rights in the promotion and protection of human rights and fundamental freedoms. Unfortunately, resolutions of the General Assembly and the Commission are not always complied with. For example, in its resolution 1995/38, the Commission deplored the fact that, as the Working Group on Enforced or Involuntary Disappearances had stressed in its report, some Governments had never provided substantive replies concerning enforced disappearances alleged to have occurred in their countries, nor acted on the recommendations of the Working Group concerning them. In the same resolution, the Commission urged Governments, particularly those which had not yet acted with regard to communications transmitted to them, to intensify their cooperation with the Working Group. (See also General Assembly resolution A/49/193 on the question of enforced disappearances.) The very fact that the appeal to Governments to cooperate with the special procedures has been repeated by the General Assembly and the Commission in a number of their resolutions proves that cooperation is insufficient. Also, in resolutions adopted at its fifty-first session, the Commission frequently stressed its concern about the lack of or inadequate cooperation with the United Nations machinery, in particular with the Commission's mechanisms. The High Commissioner assists the Commission, its mechanisms and other relevant parts of the United Nations human rights machinery, as well as Governments, in establishing and developing mutual working contacts with a view to implementing relevant Commission resolutions. Also, while undertaking missions to various countries, the High Commissioner is paving the way for cooperation between Governments and United Nations organs and bodies. However, his presence in a country does not replace missions and activities of other competent mechanisms, in particular visits by special rapporteurs and representatives of the treaty based bodies.

19. The implementation of human rights requires unimpeded cooperation of individuals and groups with the United Nations and representatives of its human rights bodies. The Commission on Human Rights reiterated in its resolution 1995/75 its concern at the continued reports of intimidation and reprisals against private individuals and groups who seek such cooperation. The General Assembly referred, in its resolutions 49/197 and 49/198, to acts of deprivation of freedom of people who contacted or were seeking to

communicate with the respective special rapporteurs in Myanmar and in the Sudan. The High Commissioner pays close attention to this issue, for no one must be deprived of his or her freedom because of cooperation with the United Nations.

20. Special procedures established by the Commission on Human Rights and treaty based bodies have become stable and influential structures serving the implementation of human rights. The implementation of six fundamental human rights treaties is monitored by the treaty bodies. The number of special procedures amounts today to 14 thematic procedures and 12 procedures relating to country situations. Their annual meetings play an essential role in the coordination of activities and contribute substantially to the debate on human rights, including the functioning of the human rights machinery. The second meeting of special rapporteurs, special representatives of the Secretary-General and chairmen of the working groups took place from 29 to 31 May 1995 at Geneva. The next meeting of the chairpersons of treaty bodies is scheduled from 18 to 22 September 1995. On 19 June 1995, the Secretary-General, in the presence of the High Commissioner, received the chairpersons of the treaty bodies. The priority areas, where enhanced cooperation and exchange of information with and among them should be ensured, are the following: (a) developing early warning on emergency human rights situations; (b) enhancing the overall effectiveness of field missions by the various special rapporteurs or working groups; (c) ensuring follow-up action by the High Commissioner on recommendations made by the special rapporteurs and working groups; (d) integrating the provision of advisory services and technical assistance to Member States with the work of other implementation mechanisms.

21. Adequate human and material resources within the Centre for Human Rights are required to strengthen the system of special procedures and treaty bodies. They are indispensable in order to provide special rapporteurs, working groups and treaty bodies with the necessary facilities, including a human rights database.

C. Activities in the period March-June 1995

22. After the submission of his report to the Commission on Human Rights, the High Commissioner has continued visiting countries. He discussed human rights matters with the highest authorities of Governments, parliaments and the judiciary, and with representatives of minorities, indigenous populations, religious and cultural communities, national human rights institutions, non-governmental organizations and academic institutions. The High Commissioner went also to areas which were witnessing particularly difficult human rights problems.

23. Visits to Burundi and Rwanda (March 1995) served the review of the ongoing United Nations human rights activities in these countries (see also paras. 33 and 36 below).

24. During his visit to Canada (21-24 March 1995), the High Commissioner referred to human rights aspects of the Canadian foreign policy review. Among others, the following questions were considered: the protection of aboriginal people, including land claims, self-government, etc.; protection against

discrimination with respect to race and sex; assistance programmes for minorities; incorporation in the human rights legislation of more explicit reference to economic, social and cultural rights; judicial control over administrative decisions; differences between provincial and federal legislation in the field of human rights. The representatives of the Government declared its intention of allocating more of its development cooperation assistance to human rights activities and programmes. The High Commissioner also discussed Canada's support both to emergency human rights situations and preventive human rights action, including stand-by arrangements. He also analysed with national institutions academic institutions, and non-governmental organizations their involvement in the implementation of the Vienna Declaration and Programme of Action. During his stay in Canada, he also discussed issues relating to the reform of the international financial institutions, scheduled to be addressed at the Summit of the Group of 7 industrialized countries at Halifax in June 1995.

25. In Australia (25-30 April 1994), the High Commissioner discussed the responsibility of State or territory Governments for the implementation of international human rights instruments; the situation of Aboriginals and Torres Strait islanders; the Native Title Act; policy aimed at adequate compensation for the discrimination and injustices against Aboriginals in the past; differences in legislation concerning education within the federal system of Australia. The Australian contribution to the international protection of human rights was also discussed, especially with respect to national institutions and possible stand-by arrangements in the context of emergency human rights situations and preventive human rights action.

26. In India (30 April-6 May 1995), consultations focused on the domestic legislative and policy measures which were being taken to solve existing human rights problems. The High Commissioner raised such matters as: arbitrary and preventive detention; the treatment of detainees, including cases of custodial rape by members of the police and security forces; cases of enforced disappearance; failure to take judicial action against police officers accused of violations of human rights; the partial application of the International Covenant on Civil and Political Rights to disturbed areas of the country; social inequalities relating to the caste system; policies adopted to eliminate the caste of untouchable. He was familiarized with policies intended to provide equal opportunities for members of lower castes, tribes and minority communities and to improve working conditions for the extreme poor. The Government informed the High Commissioner about the modification of emergency laws, in particular the Terrorist and Disruptive Activities (Prevention) Act (TADA), so as to bring them into line with international human rights standards. The Government also declared its willingness to invite the special procedures established by the Commission on Human Rights to visit the country and pledged contributions to the United Nations voluntary funds in the field of human rights. The High Commissioner emphasized the important role of national institutions in the country, and discussed the modalities of cooperation between the Indian institutions and the United Nations human rights programme. He paid particular attention to the human rights situation in Jammu and Kashmir, which he visited from 2 to 4 May. He was informed by representatives of parties involved about developments. In Jammu and Kashmir an atmosphere of violence prevails. While it is true that both security forces and the insurgents are involved in human rights

violations, the High Commissioner stressed that there was a specific obligation on the part of the Government to ensure the promotion and protection of human rights and to take the necessary measures to limit and punish abuses by those individuals who should enforce the law. The High Commissioner called on all protagonists fully to respect human rights in Jammu and Kashmir.

27. In Spain (16-18 May 1995), consultations with the representatives of the Government covered: the ratification of remaining international human rights treaties; the implementation of the recommendations of treaty bodies and special procedures; cases relating to Spain received by the Centre for Human Rights (including alleged cases of torture); criminal procedure, including the length of incommunicado detention under the emergency law; impunity; and problems relating to the protection of the human rights of Gypsies. The High Commissioner also analysed possible forms of increased participation by Spain in the United Nations human rights programme, through, inter alia, support for emergency operations, contributions to voluntary funds, participation in the technical assistance projects in Latin America, and support for the human rights education programmes.

28. In the United States of America (5-11 June 1995), the High Commissioner discussed United States support for the United Nations human rights activities, including the Rwanda human rights field operation. He also focused on the ratification by the United States of international human rights treaties and their implementation; the need to increase the Government's efforts to prevent and eliminate discriminatory attitudes against persons belonging to minority groups, and women; the revision of federal and State legislation aimed at abolishing the death penalty for minors and restricting offences carrying the death penalty strictly to the most serious crimes, with a view to the overall abolition of that penalty; the adoption of measures to ensure that previously recognized Native American rights not be extinguished; the need to ensure that the police do not use violence, especially against persons belonging to ethnic or racial minorities; measures aimed at the elimination of discrimination against women belonging to ethnic minorities. The High Commissioner had the opportunity to analyse the current challenges to human rights and various aspects of the United Nations human rights programme with academic institutions and non-governmental organizations.

29. During his visit to the United States, the High Commissioner met representatives of the Organization of American States, including the Inter-American Commission on Human Rights, to explore possibilities for cooperation. He proposed that a framework of cooperation be defined shortly that would cover inter alia human rights monitoring, research and technical cooperation activities.

30. In his discussions in Costa Rica (11-13 June 1995), the High Commissioner addressed: the ratification of additional instruments in the field of human rights; the strengthening of measures to protect the rights of detainees and to enhance police training; conditions in prisons; the need for review and possible reform of labour legislation in order to ensure that freedom of association is guaranteed; the implementation of the Convention on the Rights of the Child, in particular with respect to economic adjustment policies; the need to improve gender equality and the situation of women; State policy aimed

at the solution of problems relating to the large number of illegal immigrants. The High Commissioner also discussed the preparation of a regional meeting concerning strategy for the United Nations Decade for Human Rights Education and cooperation with the Inter-American Institute of Human Rights in San José.

31. In Panama (14-15 June 1995), the High Commissioner analysed various aspects of strengthening domestic human rights protection, including the creation of the post of ombudsman and a commission of inquiry with respect to the situation of indigenous people. He also raised the question of the ratification of remaining human rights instruments and delays in the presentation of reports to the various treaty bodies. The High Commissioner discussed: reform of the jail system; reports of torture; recommendations made following the visit by a member of the Committee on Economic, Social and Cultural Rights in April 1995, to examine the issue of housing; the inconsistency of some provisions of labour legislation with international human rights standards. The Government declared its readiness to invite a United Nations mission to monitor the human rights of the indigenous population. It also announced its willingness to increase its contribution to United Nations human rights voluntary funds. The possibility of Panama joining a subregional programme of assistance to improve prison conditions, in cooperation with UNDP and other agencies, was also considered.

D. Responding to serious violations of human rights

32. The responsibility of the High Commissioner for playing an active role in preventing the continuation of human rights violations throughout the world, as reflected in the Vienna Declaration and Programme of Action, has opened a new avenue of the United Nations human rights programme. Activities developed in this framework should: (a) assist all actors involved to bring human rights violations to an end; (b) facilitate the involvement of the United Nations human rights machinery in the process of restoring respect for human rights; and (c) provide human rights assistance to victims of human rights violations.

33. The High Commissioner continues to respond with comprehensive action to the tragic human rights situation in Rwanda. The current activities of the human rights field operation in Rwanda, which are conducted in accordance with the Revised Operational Plan submitted at the UNDP Round Table on Rwanda on 18 and 19 January 1995, are as follows: (a) to carry out investigations into violations of human rights and humanitarian law, (b) to monitor the ongoing human rights situation, (c) to cooperate with other international agencies in re-establishing confidence and thus facilitate the return of refugees and displaced persons and the rebuilding of civic society, (d) to implement technical assistance and educational programmes in the field of human rights. The human rights field operation supports the work of the Special Rapporteur in fulfilment of his mandate and works in close cooperation with the International Tribunal for Rwanda in respect of investigations into the genocide. Through its comprehensive programme of technical cooperation, it is focusing on the rehabilitation of the administration of justice in Rwanda. Currently, some 115 personnel are deployed throughout Rwanda. The European Union has supported the operation by providing some 30 fully equipped human rights officers who act as an integral part of the operation. The

High Commissioner participated in a consolidated appeal on Rwanda organized by the Department of Humanitarian Affairs on 20 January 1995. The human rights field operation has been feasible owing to the voluntary support of a number of countries which have responded to the requests of the High Commissioner.

34. The United Nations human rights programme continues its efforts relating to human rights aspects of the situation in the territory of the former Yugoslavia. Reports of the Special Rapporteur on the human rights situation in the former Yugoslavia, whose mandate is supported by a human rights field operation, were considered by the Commission on Human Rights at its fifty-first session. In the light of the request of the Government for assistance, following the establishment of the Federation of Bosnia and Herzegovina, and the terms of the December 1994 agreements on cease-fire and cessation of hostilities, the High Commissioner, after consultation with the Secretary-General and his Special Representative, took the initiative of convening a meeting on 3 February 1995 to develop a coordinated and more effective response to human rights requirements in the country. The High Commissioner has appointed a representative responsible for coordination of the United Nations activities relating to human rights in the countries established on the territories of the former Yugoslavia. Human rights training has been provided by the Centre for Human Rights to the United Nations Protection Force (UNPROFOR) personnel.

E. Acting to prevent violations of human rights from becoming serious or widespread

35. The prevention of human rights violations constitutes an essential part of United Nations activities. The international community has a moral and legal obligation to act to prevent what could become another tragic page in the history of human rights. Timely and intensive dialogue with individual Governments and in relation to specific matters should lead to rapid and substantive results. It is important to have as early notice as possible of situations in which the United Nations human rights programme could play a role in preventing the outbreak of serious violations of human rights. Close cooperation between the High Commissioner and the special procedures, treaty bodies, relevant agencies and programmes, and non-governmental organizations can be a most useful tool both in providing early warning of potential emergencies and in mitigating or avoiding such disasters. In this connection, the High Commissioner has invited human rights treaty bodies, the special rapporteurs and representatives, experts and working groups established by the Commission on Human Rights, as well as the United Nations agencies and programmes and non-governmental organizations to pay attention to situations which might need preventive action. The capacity of the Centre for Human Rights to analyse and review information of this kind has already been enhanced.

36. The United Nations human rights presence which was set up in Burundi in 1994 provides an example of preventive action. The High Commissioner's third visit to Burundi in 12 months took place in March 1995, and followed his emergency message addressed on 17 February 1995 to the Commission on Human Rights at its fifty-first session calling for all the necessary measures to be taken to prevent the situation in the country from deteriorating. The Commission, in its resolution 1995/90, decided to establish a special

rapporteur on the situation of human rights in Burundi. With the agreement of the Government of Burundi, an office of the High Commissioner was established in Bujumbura on 15 June 1994 to implement a broad programme of assistance.

37. Preventive and responsive human rights field operations have undergone considerable enlargement during the past 12 months, giving the United Nations human rights programme a new dimension. Such operations were developed in Burundi, Malawi and Rwanda, and continued in the territories of the former Yugoslavia.

38. Preventive and responsive measures require adaptation of the United Nations human rights infrastructure and adequate resources, so that prompt and comprehensive steps can be taken. Preventive action will not only save lives and enormous human suffering, but may well prove to be less expensive and more cost-efficient.

39. The cooperation of Governments, United Nations agencies and programmes, international organizations and non-governmental organizations is necessary to ensure a rapid and effective response to situations in which preventive action is necessary. It is required in the following areas of operational activities: (a) logistical assistance capacity on a stand-by basis to provide material, communications and other support for emergency or preventive field missions; (b) the establishment and maintenance of an international roster of specialized staff to be available at short notice for human rights field missions (investigation teams, human rights field officers, legal experts, etc.); (c) increased contributions to the voluntary funds, including the Voluntary Fund for Technical Cooperation, in order to cover the financial costs of field missions and advisory services assistance. The reaction to the request by the High Commissioner for assistance in the above-mentioned areas has been very encouraging.

F. Assisting countries in transition to democracy

40. A number of countries worldwide are in transition from authoritarian to democratic rule, which opens the avenue to the full protection of human rights in those countries. This crucial process requires encouragement and international cooperation, as stressed in the Vienna Declaration and Programme of Action. The provision of assistance aimed at establishing and strengthening human rights infrastructure, the rule of law and democracy is a momentous responsibility of the United Nations and, in particular, of its human rights programme. To ensure this assistance, emphasis has been placed on three major objectives: (a) the elaboration of national human rights programmes which should be carried out in cooperation with the United Nations, (b) the development of the programme of advisory services and technical assistance to respond to the needs of countries in democratic transition, and (c) the strengthening of the related United Nations infrastructure.

41. In Malawi, a two-year programme based on the Joint Declaration of Cooperation for the Development of Programmes for the Promotion and Protection of Human Rights, signed by the High Commissioner and the Vice-President of the Republic, was launched as of 1 January 1995. To assist its implementation, an office of the High Commissioner for Human Rights was opened at Lilongwe in mid-November 1994.

42. Pursuant to resolutions of the General Assembly and the Commission on Human Rights, the office established by the Centre for Human Rights in Cambodia in 1993 has the following mandate: to manage the implementation of educational, advisory services and technical assistance programmes and to ensure their continuation; to assist the Government of Cambodia in meeting its obligations under the human rights instruments Cambodia has acceded to, including the preparation of reports to the relevant monitoring Committees; to assist in the drafting and implementation of legislation to promote and protect human rights; to assist in training persons responsible for the administration of justice; to contribute to the creation and/or strengthening of national institutions for the promotion and protection of human rights; and to provide support to bona fide human rights groups.

43. In its resolution 49/201, the General Assembly requested the Secretary-General, through the High Commissioner and the Centre for Human Rights, to take appropriate steps for the urgent establishment, in conjunction with the International Civilian Mission to Haiti, of a special programme of assistance to the Government and people of that country in their efforts to ensure the observance of human rights. Appropriate preparatory steps, especially with regard to financial and human resources, have been taken.

44. Programmes of advisory services and technical cooperation are also assisting in stabilizing the protection of human rights, democratic institutions and the rule of law in some Central and Eastern European countries. The human rights advisory services have participated in the implementation of national projects (for example, in Poland, Romania, the Russian Federation and Slovakia) or have prepared reports following needs assessment missions (for example, in Armenia, Azerbaijan and Georgia).

G. Providing advisory services and technical assistance in the field of human rights

45. Among the important responsibilities of the High Commissioner, is providing, through the Centre for Human Rights and other appropriate institutions, advisory services and technical and financial assistance at the request of the State concerned and, where appropriate, the regional human rights organizations, with a view to supporting actions and programmes in the field of human rights. The programme of advisory services and technical assistance, through its multidimensional character, has an essential place in the promotion and protection of human rights, as well as in the prevention of human rights violations. The World Conference on Human Rights put emphasis on developing and building institutions relating to human rights, strengthening a pluralistic civil society and protecting groups which have been rendered vulnerable. The World Conference stressed the need for strengthening the programme of advisory services and technical cooperation inter alia by increasing its resources, both in the framework of the regular budget and through further contributions to the Voluntary Fund for Technical Assistance. This is the road towards preventing human rights violations, which frequently lead to national and international conflicts.

46. The programme of advisory services and technical cooperation aims, in particular, at providing assistance with regard to: (a) constitutional reforms and the review of legislation in the light of the international human

rights standards; (b) the development of national structures which have a direct impact on the overall observance of human rights, including national human rights and democratic institutions, and strengthening the rule of law and the administration of justice; (c) the human rights aspects of elections and participation of the people in decision-making; (d) the training of members of relevant professions, such as judges and barristers, teachers, police officers, prison administrators; (e) broad-based education and public information activities aimed at promoting respect for human rights; (f) the rights of children, minorities and indigenous populations; (g) the drawing up and implementation of relevant national plans of action.

47. A vision of a new and enhanced partnership with relevant human rights institutions and NGOs in the implementation of technical assistance programmes has been developed. Advisory services and technical assistance are available to the whole human rights constituency, including national institutions, non-governmental organizations, academic institutions and grass-roots organizations. Furthermore, non-governmental organizations and academic institutions are expected to contribute to the advisory services and technical assistance programme.

48. Comprehensive country programmes in the framework of the programme of advisory services and technical assistance have recently been launched for Burundi, Cambodia, Malawi, Namibia, the Russian Federation and Rwanda. Programmes for Armenia, Azerbaijan, Bhutan, Georgia, Guatemala, Haiti and Nepal are under preparation.

H. Adapting the United Nations human rights machinery to current and future needs

49. The strengthening and adaptation of the United Nations machinery for human rights to current and future needs was perceived by the World Conference as a requisite for the implementation of the United Nations human rights programme. The adaptation of the machinery is a multidimensional and continuing process in the framework of which reforms relating to specific organs or procedures are placed against the background of the overall adaptation of the United Nations human rights machinery. New solutions should be introduced gradually, taking into account the need for and the possibility of change. The adaptation of the infrastructure of the United Nations human rights programme should be based on interlinkage between: structural reform, a plan of action for the implementation of the Vienna Declaration and Programme of Action, and the provision of adequate human and financial resources.

50. In line with the Vienna Declaration and Programme of Action, measures are being taken to make the human rights machinery: (a) more effective and cost efficient; (b) able to act swiftly and to respond appropriately to human rights situations; (c) stronger, through international cooperation in the field of human rights, based on mutual confidence; and (d) more transparent and understandable to the outside world. The activities of the machinery should be supported by an easy accessible and efficient overall system of information and documentation based on modern technology.

51. The mandate of the High Commissioner includes specific responsibility for the reform of the United Nations machinery in the field of human rights. The adjustment of a given organ or body to the new needs remains the primary responsibility of this organ. The High Commissioner assists and facilitates human rights organs and bodies in their endeavours analysing the existing United Nations human rights machinery with a view to working out proposals for its overall adaptation and undertaking measures to strengthen the implementation of their recommendations and decisions.

52. In keeping with his mandate with regard to the overall supervision of the Centre for Human Rights and following the recommendations made by the Office for Inspections and Investigations, after a review of the programme and administrative practices of the Centre for Human Rights in June 1994, the High Commissioner has initiated the process of restructuring the Centre which, it is expected, will strengthen the functional framework for integrated and consolidated activities of the secretariat in the field of human rights. The restructuring is based on the following approach: (a) first step - a discussion at the level of the Centre's secretariat has assessed its experience in the implementation of the human rights programme, identified the gaps and weaknesses in the existing methods and exposed the changes needed to address the issues raised in the June 1994 review. Simultaneously, consideration has been given to basic themes under which the mandates of the human rights programme, as reflected in the Vienna Declaration, the High Commissioner's mandate and the specific mandates given to the Centre by policy-making organs, could be organized; (b) second step - based on the information and ideas so generated, a detailed study is being carried out by an external consultant on how best to adapt the structure of the secretariat to the priorities of the Vienna Declaration and Programme of Action and to respond to the gaps and weaknesses identified inter alia in the June 1994 review; (c) third step - review of recommendations and implementation of the new structure of the Centre. In addition to the above, steps have already been taken to strengthen the administrative services of the Centre and to provide training to staff in administration and management.

I. Promoting the right to development and cultural, economic and social rights

53. The World Conference set out a vision of supporting democracy, development and human rights through increased international cooperation. The reaffirmation by consensus that the universal and inalienable right to development, as established in the Declaration on the Right to Development, must be implemented and realized, was one of the major achievements of the World Conference. The Conference gave also priority to the effective implementation of economic, social and cultural rights. In order to implement the recommendations of the World Conference in this regard, the United Nations human rights programme is pursuing the following objectives: enhancing cooperation between the Committee on Economic, Social and Cultural Rights and NGOs, as well as relevant United Nations organs and agencies; identifying further social and economic indicators which should facilitate assessing the progressive realization of cultural, economic and social rights and addressing violations of these rights; establishing a communication procedure with regard to rights laid down in the International Covenant on Economic, Social and Cultural Rights; clarifying the particular content of specific cultural,

economic and social rights; formulating comprehensive and effective measures to eliminate obstacles to the implementation and realization of the Declaration on the Right to Development and recommending ways and means towards the realization of the right to development; preparing plans to enable NGOs and grass-roots organizations active in development and human rights to play an increased role in the implementation of the Declaration on the Right to Development; elaborating adequate measures to be implemented in order to find a lasting solution to the debt crisis of developing countries. The General Assembly, in resolution 49/186, reiterated its decision that future work within the United Nations system on human rights matters should take into account the Declaration on the Right to Development.

54. The High Commissioner is specifically charged with promoting and protecting the realization of the right to development and enhancing support from relevant bodies of the United Nations system for this purpose. This mandate is placed firmly within the perspective of the World Conference, which clearly announced the interdependent, interrelated and indivisible nature of all human rights. In order to provide direction and focus to the implementation of his mandate in this area the High Commissioner is undertaking the formulation of a strategy which will include: (a) identification, in cooperation with the agencies, treaty bodies, especially the Committee on Economic, Social and Cultural Rights, and experts of the Subcommission on Prevention of Discrimination and Protection of Minorities, of ways to improve implementation of the right to development and cultural, economic and social rights; (b) consideration of the application of findings and recommendations made by the Working Group on the Right to Development; (c) concluding the preparation of procedures for communications regarding cultural, economic and social rights; (d) pilot projects to implement the right to development and cultural, economic and social rights; (e) promotion of the right to development and cultural, economic and social rights at the national level; (f) identification of the international action necessary to promote the right to development; (g) cooperation with international/regional financial and development organizations and with the regional economic commissions. In this context, the impact of the World Summit for Social Development is being analysed. In its resolution 49/183, the General Assembly expressed its support for the current initiatives of the High Commissioner to consult with all relevant bodies, funds, programmes and specialized agencies of the United Nations system on how they might promote the right to development.

55. Another important part of the strategy will be the translation of the multidimensional concept of the right to development to the national level. Here, the United Nations advisory services and technical assistance programme in the field of human rights has an important role to play. Criteria can be elaborated which could be applied in needs assessment country missions to identify areas where assistance focusing on cultural, economic and social rights and the right to development might be suggested. Model projects in this area to provide a basis for decision, a roster of experts and a manual on promoting the right to development could be developed. Training programmes at the national and local levels addressed to government policy makers, parliamentarians and others whose decisions affect human rights could be designed to raise awareness of the interdependent

nature of human rights and social and economic development activities. Finally, concrete projects supporting popular participation might be proposed.

56. In the context of the reform of the Bretton Woods institutions, which was discussed during the Summit of the Group of 7 major industrialized countries, held at Halifax, Canada, from 15 to 17 June 1995, the High Commissioner raised the issue of the role of the World Bank and the International Monetary Fund (IMF) in the field of human rights with the Foreign Ministers of the G-7 countries, as well as with the President of the European Commission. He stressed, inter alia, the role the international financial institutions should play with respect to social programmes.

57. It is essential to give high priority to promoting cultural, economic and social rights and the right to development, especially in areas which suffer from difficult social and economic problems. Protecting cultural, economic and social rights is also particularly important during periods of structural adjustment and during transitions to market economies. Too often, basic rights such as those to health, food, shelter and education receive insufficient protection and the victims are often women and children.

58. The results of the dialogue established within the Administrative Committee on Coordination concerning the development of indicators of progress in human rights and the assessment of the impact of the strategies and policies of the various agencies and programmes on the enjoyment of all human rights will play an important role in promoting the right to development and cultural, economic and social rights. In addition, a senior-level meeting of experts, will be convened to evaluate results achieved in the implementation of cultural, economic and social rights. These steps should be seen against the background of the new Secretary-General's Agenda for Development.

J. Combating discrimination and promoting the rights of persons belonging to groups requiring special protection: equal status and rights of women, the rights of the child and the rights of minorities and indigenous people

59. The effective elimination of racism, racial discrimination, xenophobia, "ethnic cleansing", religious and other forms of intolerance require concerted efforts by the entire international community. The international norms and rules provide a useful tool for preventing and combating discrimination. However, legislation against racial discrimination alone is not enough to prevent violations of human rights. The international community should focus on the further implementation of the relevant human rights instruments and declarations, as well as recommendations of the treaty bodies and special procedures. A periodical comprehensive review of measures adopted to give effect to them is required.

60. States should consider adopting legislation which declares discrimination illegal. Such legislation must be enforceable by the judicial and the executive branches. This is important because law and its enforcement are powerful tools of education. Model legislation against racial discrimination, which has been prepared recently by the United Nations, may also be a useful tool in this connection.

61. Human rights education and the creation of a climate of tolerance and understanding between different communities can have a significant impact on combating discrimination. In this context, the different cultures which constitute the common heritage of all, have also an important role to play. Cultural multiplicity must be perceived as a means of enriching human values and strengthening human rights standards and not as an opposition to the universality of these rights. Sensitivity training in the early school years and the broader based community action programmes are important tools to achieve this objective.

62. Consideration should also be given to setting up "community relations commissions" not only in areas where tensions have actually emerged but also as a general mechanism in all communities. Such commissions could reinforce existing inter-group understanding and identify at an early stage the seeds of future tension so as to act preventively. The participation of vulnerable groups in the elaboration of national and local plans of action is also essential as a tangible recognition of their dignity and of the principle of equality.

63. The Third Decade to Combat Racism and Racial Discrimination provides the framework for international activities with regard to the elimination of racism and racial discrimination. The General Assembly at its forty-ninth session, in resolution 49/146, adopted the revised Programme of Action for the Third Decade, which should guide the international community in this crucial area.

64. The activities of the International Year of Tolerance proclaimed by the General Assembly for 1995 in resolution 48/126, for which UNESCO is the lead organization, must be supported and highlighted. Close cooperation between UNESCO and the High Commissioner/Centre for Human Rights should contribute to the accomplishment of the objectives of the Year.

65. Priority has been attached to the equal status and human rights of women in the United Nations human rights programme. At the outset of his tenure, the High Commissioner associated himself with this approach which finds expression in his contacts with Governments, in his coordination of the human rights activities throughout the United Nations system and his guidance of the Centre, as well as in cooperation with intergovernmental and non-governmental organizations. Issues which have attracted particular attention in this context are: (a) obstacles to the realization of the human rights of women; (b) the elimination of violence against women in public and private life; (c) traditional practices affecting the health of women and girl children; (d) cooperation and coordination between relevant United Nations organs and bodies, in particular with the Division for the Advancement of Women; (e) reflection of problems relating to the human rights of women in the reporting guidelines and procedures of various human rights treaty bodies; (f) including the equal status and rights of women in the mainstream of the Centre's activities (including the programme of advisory services and technical cooperation and publications) and the establishment of a special focal point.

66. The equal status and rights of women are also one of the keynotes in the preparation for the Fourth World Conference on Women: Action for Equality,

Development and Peace, to be held in Beijing in September 1995. The Conference should encourage universal ratification of the Convention on the Elimination of All Forms of Discrimination against Women and of all human rights treaties. Basic human rights treaties, such as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, not only contain anti-discrimination provisions but also identify areas of specific gender discrimination which require that State parties enact legal and administrative measures including affirmative action to achieve equality between men and women. The High Commissioner has initiated an analysis of the preparatory documents for the Conference from the point of view of the international human rights standards. The result will be presented to the Secretary-General and the secretariat of the Conference. There is a need for the international human rights standards, reaffirmed by the World Conference at Vienna, to be fully respected in all international documents.

67. The lack of educational opportunities offered to girls and women has often contributed to reinforcing the traditional female role, denying them full partnership in society. Equal access by women to education and education free from gender stereotypes will be an important part of the United Nations Decade for Human Rights Education.

68. Problems related to the equal status and rights of women should be systematically analysed by government and non-governmental organizations. Attention should be paid inter alia to the impact of economic adjustment or transitional policies on the rights of women.

69. Promotion and protection of the rights of the child at the international level is characterized by a dynamic which, if continued, should allow for real progress in the protection of children. The programme adopted by the High Commissioner, who has proclaimed the protection of the rights of the child as one of his priorities, has the following fundamental objectives: (a) better coordination of United Nations efforts, inter alia in the framework of a working agreement between the United Nations Children's Fund (UNICEF) and the Centre for Human Rights; (b) strengthening the Centre's capacity with regard to the rights of the child, with a view to servicing better the Committee on the Rights of the Child; (c) system-wide cooperation oriented towards achieving the objectives set up in the Plan of Action of the World Summit for Children; (d) establishing working cooperation between the Centre and relevant organizations concerned with the protection of children traumatized by war.

70. Promoting and protecting the human rights of the child require strengthening the Committee on the Rights of the Child as an active catalyst and focal point for joint action at the international level for the implementation of the Convention on the Rights of the Child. A plan of action prepared by the High Commissioner in consultation with the Committee foresees establishing within the Centre for Human Rights an interdisciplinary substantive support team to: assist the Committee on the Rights of the Child in its work of analysing country reports and developing recommendations; assist States in preparing reports; support field visits by the Committee; and support improved implementation of the Committee's recommendations through

advisory services and technical cooperation. The preparation and implementation of the plan of action have been coordinated with UNICEF and other relevant agencies and institutions.

71. Unsolved problems relating to national or ethnic, religious and linguistic minorities are widely recognized as a major source of international and internal conflicts involving widespread human rights violations. The international community, including Governments, human rights organs and treaty bodies, as well as non-governmental organizations, is taking a number of initiatives to protect effectively persons belonging to minorities. The General Assembly in its resolution 49/192 and the Commission on Human Rights in its resolution 1995/24 have focused on giving effect to the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. The General Assembly in its resolution 49/192 called upon the High Commissioner to promote the implementation of the principles contained in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and to continue to engage in a dialogue with Governments concerned for that purpose. In his contacts with Governments, the High Commissioner has referred to issues relating to minorities as a complex human rights problem and appealed for Government policies which would respond to the legitimate expectations of all people living in a country.

72. In the Vienna Declaration and Programme of Action, the international community reaffirmed its commitment to the economic, social and cultural well-being of indigenous people and their enjoyment of the fruits of sustainable development. The High Commissioner draws the attention of Governments and other partners to the human rights aspects of problems relating to indigenous people. However, the protection of indigenous people should not be guided only by legal obligations resulting from international standards. It is the responsibility of the whole international community to create universal understanding that protection of indigenous people also means preservation of the unreplaceable, diversified cultural heritage of mankind. Violation of the rights of indigenous people most frequently impoverishes the overall heritage of mankind as well.

K. Combating the most atrocious human rights violations such as torture and enforced disappearances; assisting internally displaced persons

73. Torture is one of the most atrocious and shameful violations of human dignity. The call of the World Conference for its eradication is not only a political guideline but, first and foremost, a fundamental moral imperative. Human rights organs and treaty bodies have taken numerous steps to implement the recommendation contained in the Vienna Declaration and Programme of Action. However, torture and cruel, inhuman or degrading treatment or punishment are still tolerated in many parts of the world. Full support should be given by Governments, the relevant United Nations organs and bodies, and international and non-governmental organizations to the specific measures outlined in this context by the Commission on Human Rights in resolutions 1994/37 and 1995/37 with a view to preventing or combating torture, as well as assisting victims of torture. The High Commissioner is permanently raising related questions, including the universal ratification of

the Convention against Torture, Cruel, Inhuman or Degrading Treatment or Punishment and the expeditious adoption of an optional protocol to that Convention.

74. Enforced disappearances are, unfortunately, increasing in various parts of the world, particularly as a consequence of large-scale internal conflicts. The Commission on Human Rights, in its resolution 1995/38, expressed its deep concern at the increase and spread of the practice of enforced disappearances in various parts of the world. Governments should respond promptly and positively to the appeal of the Commission to put an end to this practice. Acts of enforced disappearance should be classified as offences punishable by appropriate penalties which take into account their extreme seriousness under criminal law. Governments concerned should intensify their cooperation with the Working Group on Enforced or Involuntary Disappearances and take action on the recommendations it addresses to them. The programme of advisory services and technical assistance is available with regard to reform of legislation and training in this respect.

75. International and internal conflicts, discrimination, mass expulsions, famine and other forms of economic disaster are sources of a rapidly growing number of internally displaced persons and refugees worldwide. A durable solution to these phenomena can be achieved only through the elimination of their causes which usually consist in the violation of human rights.

L. Promoting human rights education and public information activities

76. Human rights education and information aimed at creating a universal culture of human rights is an essential element in a long-term strategy to improve respect for human rights. It is vital for the encouragement of harmonious intercommunity relations, for mutual tolerance and understanding and, finally, for peace.

77. Following the recommendation of the World Conference on Human Rights, the General Assembly, in its resolution 49/184, proclaimed the United Nations Decade for Human Rights Education. The Decade should promote and streamline activities of the international community in the field of human rights education. The Assembly requested the High Commissioner to coordinate the implementation of the Plan of Action for the Decade (A/49/261/Add.1, annex). The Centre for Human Rights, in cooperation with UNESCO and other relevant agencies and bodies, is assisting Member States to develop specific programmes and strategies, at the international and national levels, for ensuring human rights education for all. The establishment of national committees for the Decade is to be strongly encouraged.

78. A universal culture of human rights depends to a large extent on information being made available to the general public. This is to be accomplished through a revitalized World Public Information Campaign for Human Rights with two major themes: firstly, the need to provide encouragement and support to national efforts by Governments, human rights institutions or non-governmental organizations for activities aimed at disseminating public knowledge of human rights and at providing information as to how anyone can act to protect his or her own rights or the rights of others, and as to the benefits respect for human rights bring to all;

secondly, the World Public Information Campaign for Human Rights should also include readily understandable information on what the United Nations is doing in the field of human rights. The General Assembly called upon the High Commissioner, in resolution 49/187, to coordinate and harmonize human rights information strategies within the United Nations system.

79. The human rights publications programme carried out by the Centre for Human Rights has an important place in educational activities. Preference has been given to publications for use in technical cooperation projects, such as specialized manuals for the training of police, lawyers and judges, election officials and social workers. Emphasis has also been placed on the publication of Fact Sheets focusing on priority issues, such as the protection of indigenous populations, the rights of the child and child exploitation. Cooperation with other United Nations agencies and programmes should provide new possibilities in this area.

M. Implementing the Vienna Declaration and Programme of Action

80. The Vienna Declaration and Programme of Action is a reaffirmation of the solemn commitment of all States to promote and protect all human rights and fundamental freedoms. Its full implementation is a priority of the United Nations that requires more than a number of isolated activities. International cooperation and an organizational framework for that purpose are essential.

81. The World Conference on Human Rights has already had a positive impact on United Nations activities in the field of human rights. Reaffirming the principles and outlining future activities, it has encouraged and facilitated action aimed at enhancing the enjoyment of all human rights and fundamental freedoms by all human beings. Efforts should be continued with determination to keep the spirit of Vienna alive and to implement fully recommendations voluntarily and by consensus adopted by Governments. The implementation of the Vienna Declaration and Programme of Action depends primarily on activities undertaken at the national level, by Governments, as well as by institutions and organizations representing all parts of civil society. The role of the United Nations is to provide all possible support to these activities in the framework of international cooperation.

82. The Vienna Declaration and Programme of Action does not constitute a closed programme nor does it merely maintain the existing international human rights machinery. On the contrary, it provides an open, future oriented framework for national and international initiatives in the field of human rights. To implement the objectives outlined at Vienna, the international community should think in terms of a variety of measures and forms of international and national activities.

83. The High Commissioner is responsible for the coordination of the implementation of the Vienna Declaration and Programme of Action. Cooperation with United Nations agencies and programmes, human rights bodies, regional organizations, national institutions and NGOs in this respect will be continued. A detailed plan of activities until 1998, when the review of the implementation of the Vienna Declaration and Programme of Action should take place, is under preparation. In the plan of activities, primary emphasis is

placed on: strengthening of the United Nations human rights machinery and its adaptation to the new challenges, including human rights field operations and follow-up of recommendations and decisions of human rights organs and bodies; assistance to vulnerable groups; enhancing various forms of activities undertaken by Governments and civil society to promote and protect human rights; strengthening of cooperation among all actors involved in the implementation of the Vienna Declaration and Programme of Action.

II. CONCLUSIONS

84. The Vienna Declaration and Programme of Action, in the 24 months since its adoption, has shown itself to be a dynamic and creative framework for action at all levels to promote and protect human rights. The organs of the United Nations system now place their human rights activities well within the perspective of the Vienna Declaration and have resolved on specific actions to achieve its objectives. Governments have repeatedly stated the relevance of the Vienna Declaration and Programme of Action to national needs and the importance of cooperating internationally within its framework, especially with the High Commissioner for Human Rights. Nationally and internationally, non-governmental organizations have been inspired by the Declaration and many report adopting new methods and initiating new activities to achieve its objectives.

85. The creation of the post of United Nations High Commissioner for Human Rights was the most concrete result of the Vienna Declaration and Programme of Action and the High Commissioner has taken that Declaration and Programme of Action and its objectives as the foundation of his own activities. International cooperation is at the heart of the High Commissioner's mandate and the High Commissioner has focused significant attention on engaging in a dialogue with all Governments with a view to enhancing respect for human rights. This involves a wide range of activities including action to bring violations to an end and action to prevent the outbreak of serious violations. Prevention has become central to international human rights preoccupations as the international community sees years of development efforts destroyed overnight by outbreaks of serious violations and the generation of refugees, internally displaced persons and mass exoduses. The High Commissioner avails himself of every opportunity to use his diplomacy to obtain results on specific matters with Governments and he also, when circumstances require, uses the many other tools at his disposal, including the provision of human rights technical cooperation, to help prevent violations.

86. Under the impact of the Vienna Declaration and Programme of Action and the mandate entrusted to the High Commissioner for Human Rights, the United Nations human rights programme is undergoing a profound transformation both at the substantive and the organizational levels. Future-oriented decisions adopted by the World Conference require for their implementation continuous adaptation of the programme to current and emerging needs. The development of human rights field operations appears to be one of the major challenges and most promising perspectives in this context. Target-oriented and adequately organizationally and logistically supported, these operations may contribute decisively to the prevention of human rights violations, to ending continuing violations, to the durable and peaceful resolution of

conflicts, and to the creation of conditions for the development of nations and individuals. Fully taking advantage of this new opportunity demands the coordinated efforts of the United Nations system.

87. The interlinkage of human rights, democracy and development requires a comprehensive and integrated approach to the promotion and protection of human rights on the part of the High Commissioner. He has adopted this approach both in relation to Governments and in his activities of international coordination, in particular within the United Nations system. In order for international efforts to promote human rights to be effective, they must permeate the activities of all international agencies so that each, within its own mandate, can make its own important contribution to the common objective. This is especially true with regard to the right to development and economic, social and cultural rights.

88. One of the important objectives of the United Nations in establishing the post of High Commissioner for Human Rights was to ensure more effective coordination of the numerous activities in favour of human rights throughout the system and to increase the efficiency and strengthen the impact of United Nations human rights machinery. The High Commissioner does not seek to replace existing organs, bodies or procedures, but to strengthen them and better coordinate their activities within the framework of the objectives of the Vienna Declaration and Programme of Action. Today's new demands on the United Nations system and the heightened expectations of Governments and public opinion require a more operational approach to the international promotion and protection of human rights and the development of new methods of work and new capacities for action.

89. The success of the activities of the human rights programme and of the High Commissioner in the future will depend upon the support and understanding of the international community and the cooperation received from Governments, international organizations, non-governmental organizations and people throughout the world. This must include adequate human and financial resources for the implementation of the Vienna Declaration and Programme of Action, and for the activities of the High Commissioner and the Centre for Human Rights. That support will help respond to the hopes and expectations generated by the World Conference on Human Rights and the establishment of the post of High Commissioner for Human Rights and help promote international peace and security and better standards of life in larger freedom as embodied in the Charter of the United Nations.

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